

Frequently Asked Questions

Q: I have been designated a deputy registrar from County X. I will be at an event that will have attendees from County X along with County Y and County Z. May I register people from County Y and County Z?

A: No. Volunteer deputy registrar status is conferred on a county-by-county basis. To accept applications for Y or Z counties, you would have to become a volunteer deputy registrar for those counties. You could certainly give applications to the attendees from County Y and County Z and direct them to mail the application to the appropriate county voter registrar's office. Under Section 13.044 of the Code, a person commits a Class C misdemeanor by acting as a volunteer deputy registrar when he or she does not have an effective appointment as a deputy registrar.

Q: May I photocopy a completed application before turning it in to the county voter registrar?

A: No. Section 13.004(c-1) of the Code requires the county voter registrar to ensure that certain information, such as the telephone number, on a registration application is redacted from photocopies of voter registration applications from her office. In our opinion, this means that a photocopy of an application must come directly from the county voter registrar's office, so that he or she may ensure the required information has been blacked out or otherwise obscured. With that said, we believe that a volunteer deputy registrar may photocopy the receipt. You may also copy the relevant information from the application in writing just as you would be able to do if you went to the registrar's office and pulled a copy of the original application.

Q: I am a candidate and/or working for a campaign. May I serve as a volunteer deputy registrar?

A: Yes. There is no prohibition against a candidate or a campaign worker serving as a deputy registrar, as long as they otherwise meet the "Qualifications" described above and have been officially appointed as a volunteer deputy registrar. Similarly, there is no prohibition against a volunteer deputy registrar registering voters at a campaign rally or event. While working a rally or public event, we believe a volunteer deputy registrar should offer registration to anyone who requests it.

Q: Is there any way for me to become a statewide volunteer deputy registrar?

A: No. Volunteer deputy registrar appointments are made on a county-by-county basis. Section 13.032 of the Code provides that a county may not refuse to appoint a resident of the county as a volunteer deputy registrar. A voter registrar may not refuse to appoint a volunteer deputy registrar on the basis of sex, race, color, creed, or national origin or ancestry.

Q: Is there a minimum age to become a volunteer deputy registrar?

A: Yes. A person must be at least 18 years of age to become a volunteer deputy registrar.

Q: I just want to hand out blank voter registration application forms and encourage people to register to vote. Can I do that?

A: Yes. Anyone can hand out blank application forms to voters for the voters to fill out and mail in themselves. If this is all you want to do, you do not have to be a volunteer deputy registrar. Also, if you are already a volunteer deputy registrar in one county, you can hand out blank forms in other counties where you are not a volunteer deputy. It is the voter's handing the application back to you to review and to deliver to the registrar that triggers the requirement to be an authorized volunteer deputy registrar.

Q: What if someone says he or she is already registered?

A: You may wish to advise the person that the new application form will be treated as an update if the old registration is in the same county and the voter is providing new information. If the person moved to a new county, he or she will need to register in the new county.

Q: As a volunteer deputy registrar, may I appoint others to assist me in registering voters?

A: No. Each volunteer deputy registrar must be appointed directly by the county voter registrar or that registrar's deputy in the voter registrar's office.

Q: May a volunteer deputy registrar bundle completed applications and submit them to the voter registrar by mail?

A: No. There are two methods for a volunteer deputy registrar to submit applications to the county voter registrar. First, the applications may be submitted by personal delivery by the volunteer deputy registrar. Second, the volunteer deputy registrar may give his or her applications to another volunteer deputy registrar for personal delivery to the county voter registrar.

Q: I failed to submit the applications to the county voter registrar within the allotted period. What should I do now?

A: Submit them to the county voter registrar as soon as possible. Under the law, the voter's registration is not impacted by your late delivery to the voter registrar. However, you should deliver them as soon as possible. Further delay will create problems in getting the lists ready in time for early voting and election day. The registration process cannot be completed until you deliver the application. The registration is still effective and the voter still receives the effective date of submission to you.

Q: How long do I have to keep my receipt books?

A: It is not addressed in the Code, but we would suggest that you should retain the receipt books for 22 months following the election closest to the effective date of the applications. Please communicate with your county voter registrar, who may have their own timeline of retaining the receipt books.

Q: What if I was appointed but still have not gone through the training adopted by the Secretary of State's office?

A: Until you have completed the training, you may not receive any person's voter registration application.

For more information, Contact:

The Secretary of State's office or the Voter Registrar (who may be the County Clerk, County Elections Administrator, or County Tax Assessor-Collector) in your county.

SECRETARY OF STATE

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Volunteer Deputy Registrar Guide

A publication of the:

[Secretary of State](#)

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<http://sos.state.tx.us/elections/pamphlets/deputy.shtml>

Dear Volunteer Deputy Registrar:

In 2011, the 82nd Texas Legislature enacted and the Governor signed three bills that substantially affected the qualifications to become a volunteer deputy registrar, provided a criminal penalty for persons who compensate volunteer deputy registrars based on the number of voter registrations they facilitate, and required the Secretary of State to develop a training program for volunteer deputy registrars.

First, House Bill 2817, which has been precleared by the United States Department of Justice ("DOJ") and is effective on September 1, 2011, provides a new, additional qualification to be eligible to be a volunteer deputy registrar: a person may not have been finally convicted of an offense under Section 32.51 of the Penal Code, which is entitled, "Fraudulent Use or Possession of Identifying Information." Such a final conviction will bar a person from serving as a volunteer deputy registrar even after the sentence is fulfilled.

Second, House Bill 2194, which has been precleared by the DOJ and became effective after such preclearance on March 6, 2012, provides that it is a Class A misdemeanor if a person compensates another person based on the number of voter registrations which that person facilitates. House Bill 2194 also provides that to be eligible to be a volunteer deputy registrar, a person must meet the requirements to be a qualified voter under Section 11.002 of the Election Code ("the Code"), except that the person is not required to be a registered voter. These requirements are: (1) to be 18 years of age or older; (2) to be a U.S. citizen; (3) not determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote; (4) to be not finally convicted of a felony or, if so convicted, to have fully discharged the sentenced or been pardoned or otherwise released from the resulting disability to vote; and (5) to be a resident of Texas.

Third, House Bill 1570, which has been precleared by the DOJ, requires the Secretary of State to adopt, not later than January 1, 2012, standards of training for volunteer deputy registrars. The Secretary of State adopted such training standards, which were precleared by the DOJ and became effective on March 12, 2012.

Acceptance of the duties of volunteer deputy registrar places you in a position of trust and responsibility to the citizens you will register to vote.

Please become familiar with the instructions and guidelines in this brochure and carry it with you while you perform your duties. If, in the course of your service, a question should arise which you are unable to answer, please contact the Elections Division for assistance.

Again, thank you for your service to the state of Texas.

Office of the Secretary of State
Elections Division

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Volunteer Deputy Registrars are entrusted with the responsibility of officially registering voters in the State of Texas. They are appointed by county voter registrars and charged with helping increase voter registration in the state.

Qualifications

To be appointed a volunteer deputy registrar, a person must

- × be at least 18 years old;
- × be a United States citizen;
- × not have been determined by a final judgment of a court exercising probate jurisdiction to be
 - totally mentally incapacitated, or
 - partially mentally incapacitated without the right to vote;
- × never have been convicted of failing to deliver a voter application to a voter registrar;
- × not have been finally convicted of a felony, or, if convicted, must have
 - fully discharged the sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court, or
 - been pardoned or otherwise released from the resulting disability to vote;
- × not have been finally convicted of identity theft under Section 32.51 of the Penal Code; and
- × be a resident of the state of Texas.

How to Become a Volunteer Deputy Registrar

- × Contact the voter registrar in your county.
- × If you are eligible, the voter registrar will issue you a certificate of appointment and give you a receipt book.
- × However, you may not receive another person's voter registration application until you have completed the training developed by the Secretary of State in accordance with House Bill 1570. At the time of your appointment, the voter registrar will provide information about the times and places at which the training is offered. This training requirement applies only to volunteer deputy registrars who are appointed on and after March 12, 2012.

Duties of a Volunteer Deputy Registrar

A volunteer deputy registrar may distribute and accept a voter registration application form from any resident of the county who is:

- × A United States citizen;
- × A resident of the county;
- × At least 17 years and 10 months of age;
- × Not a convicted felon (unless the person's sentence has been completed, including probation or parole or the person has been pardoned or otherwise released from the resulting disability to vote);
- × Not a person determined by a final judgment of a court exercising probate jurisdiction to be (1) totally mentally incapacitated; or (2) partially mentally incapacitated without the right to vote.

A volunteer deputy registrar may distribute and accept applications from voters who wish to change or correct information on their voter registration certificate (such as name or address).

Checklist for a Volunteer Deputy Registrar

You should have:

- × A certificate of appointment;
- × A pen;
- × This brochure;
- × Plenty of voter registration applications; and
- × A receipt book.

The Texas Voting brochure provides information useful to you and applicants. It may be obtained from the Secretary of State's website at www.sos.state.tx.us or by calling 1.800.252.VOTE(8683).

Accepting Applications

- × You may help a person fill out an application.
- × Voters may correct or update information on their current voter registration certificate by filling out a new registration form and checking the "change" box.
- × You may help a person fill out the registration form if he/she cannot read or has a physical disability.
- × If an applicant cannot sign his/her name on the form, the applicant may make a mark on the signature line. Print the name of the applicant beside the mark. Sign your name and address as the witness and state the reason the applicant is unable to sign.
- × You may allow another registered voter (or anyone who has submitted a registration application) to fill out and sign an application for his or her spouse, parent or child. That person must sign the application as "agent" and state the relationship to the applicant on the registration form. The "agent" must have the permission of the applicant to do this.
- × Fill out a receipt for each applicant. Give the applicant the receipt. The duplicate receipt must be delivered to the voter registrar along with the application. You may wish to keep a copy or stub for your records. You should not keep a copy of the completed voter registration application itself because this document contains information that is confidential by law.

Reviewing the Application

While the applicant is still in your presence, be sure to review the application for completeness. Be sure the application includes the following:

- × Full name, including any middle, maiden, or former name;
- × Residence address must be a street address or a description of the location of the residence;
- × Valid mailing address, if mail can't be delivered to the residence address;
- × Signature of applicant and date of signing;
- × Date of birth, including month, day, and year;
- × Citizenship question is answered either yes or no;
- × Be sure the applicant has read the statements that he/she is signing regarding qualifications to register; and
- × If an agent is registering for an applicant, be sure the agent provides his/her relationship to the applicant.

What you cannot do:

- × Determine if the applicant is actually qualified to register to vote;
- × Make the applicant provide his/her gender, social security or driver's license number; or
- × Make the applicant provide his/her telephone number.

When is the Registration Effective?

- × Tell the applicant that he/she can vote as soon as the 30th day after submitting the application. This 30-day waiting period starts when the volunteer deputy registrar receives the application form.
- × If the applicant is under the age of 18, the registration will become effective on the 30th day after the voter registrar gets the application or on the applicant's 18th birthday, whichever comes later.

How long is the Registration Effective?

Tell the applicant that the registration will be automatically renewed every even-numbered year unless:

- × The voter moves to another address; or
- × the voter receives a final felony conviction and has not completed the sentence, probation or parole or been otherwise pardoned or released from the resulting disability to vote. Note: "deferred adjudication" does not constitute a "final felony conviction."

Address Changes

The voter must update the address on the registration if the voter moves within the county.

- × The voter can make the change on the back of the voter registration certificate and mail it to the county voter registrar;
- × Submit a new application form to the voter registrar and check the box for "change"; or
- × Write a letter to the voter registrar explaining the change of address.

Tell voters that if they move to another county, they must re-register in the new county.

Name Changes

- × Voters can make the change on the back of their voter registration certificate and mail it to the county voter registrar; or
- × Submit a new application form to the voter registrar and check the box for "change"; or
- × Write a letter to the voter registrar explaining the name change.

Delivery of Applications

You must deliver completed registration applications and receipts in person to the voter registrar no later than 5 p.m. on the 5th day after the date you receive them. FAILURE TO DELIVER AN APPLICATION IN A TIMELY MANNER IS A CRIMINAL OFFENSE.

SPECIAL NOTE: To be eligible to vote, a person must be registered 30 days before Election Day. When you receive a completed application after the 34th day and before the 29th day before the date of any election in the county, you must deliver the application to the county voter registrar no later than 5 p.m. of the 29th day before Election Day. If the 29th day falls on a Saturday or Sunday or on a legal state or national holiday, the deadline for delivering the applications is extended to 5 p.m. of the next regular business day.

Length of Appointment

You may be appointed a volunteer deputy registrar at any time. However, your term expires on December 31 of the even-numbered year. Your appointment as a volunteer deputy registrar may be terminated by the appointing authority if you fail to properly review a voter registration application. Your appointment as a volunteer deputy registrar will be terminated by the appointing authority if:

- × You are finally convicted of an offense under the law relating to delivery of completed voter registration applications to the registrar; or
- × You are finally convicted of an offense under the law relating to performance-based compensation for voter registrations.

All election materials issued to a volunteer deputy registrar, including the certificate of appointment, receipt books, receipts, applications and other forms in the volunteer deputy registrar's possession, must be returned or accounted for upon termination of appointment.