

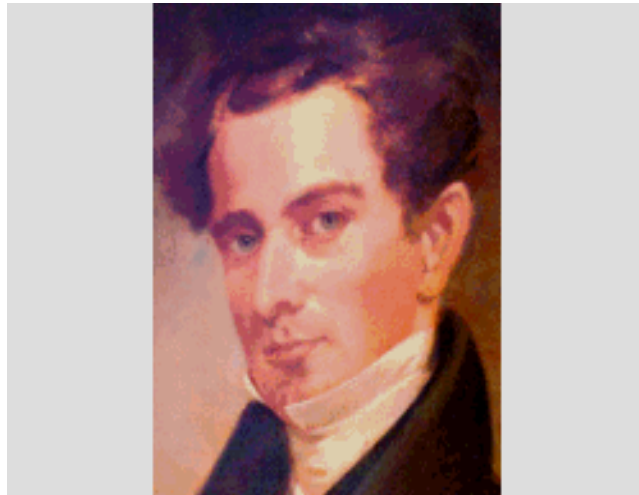
# *About the Office of the Secretary of State*



- The Secretary of State is one of six state officials that forms the Executive Department of the State.
- The Secretary is appointed by the Governor, with confirmation by the Senate, and serves at the pleasure of the Governor.



The first Secretary of the Republic of Texas was  
Stephen F. Austin.



# *About the Office of the Secretary of State*

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- The current Secretary of State is Hope Andrade.



- The Deputy Secretary of State is Coby Shorter III.

# *About the Office of the Secretary of State*

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- keeper of the state seal and attestor to the Governor's signature on official documents
- stores official and business and commercial records required to be filed with the SOS
- publishes government rules and regulations
- commissions notaries public
- Senior Advisor and Liaison to the Governor for Texas Border and Mexican Affairs
- Chief International Protocol Officer for Texas
- *Chief Elections Officer for Texas*

# *About the Office of the Secretary of State Elections Division*



Ann McGeehan serves as the Director of the Elections Division.

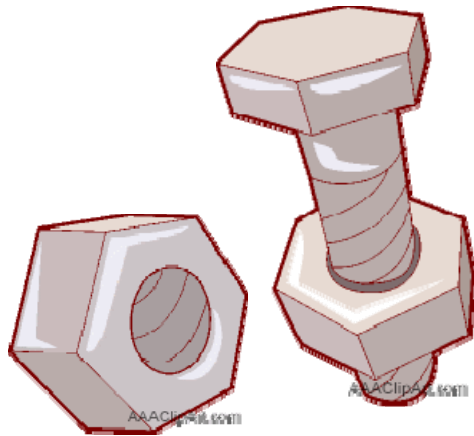
- assists county election officials
- ensure the uniform application and interpretation of election laws throughout Texas

# *Elections Division*



- provides assistance and advice to election officials on the proper conduct of elections
- administer and maintain the Texas Voter Registration System
- maintain a statewide master file of all registered voters

# *AGENCY-BASED VOTER REGISTRATION*



*The Nuts and Bolts*

# *National Voter Registration Act of 1993*

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## Goals:


- Enhance voting opportunities for American citizens.
- Increase the number of eligible citizens who register to vote.
- Protect the integrity of the electoral process by ensuring that accurate and current voter rolls are maintained.

# *Implementing NVRA Goals*



- Expand the number of locations and opportunities where eligible citizens register to vote.
- Update voter registration maintenance procedures; identify and remove the names of voters no longer eligible.
- Provide fail-safe voting procedures to ensure that voters can vote.

# *NVRA History in Texas*

- 
- National Voter Registration Act passed in Congress in 1993.
  - Texas ahead of the curve—mail-in registrations, 30 day deadlines, motor voters. Driver's license holders accounted for 87% of eligible voters.
  - 1994 - Elections Division created Task Force and Administrative Rules for Texas.
  - 1995 - TVRS database created— now called TEAM .

# *NVRA History in Texas*



- Biggest change for incorporating NVRA was implementing agency-based registration.
- Public assistance agencies and agencies that provide services for the disabled were selected “to ensure that the poor and persons with disabilities, who do not have drivers licenses, will not be excluded.”

# *Texas NVRA Voter Registration Agencies*




## Sec. 20.001. DESIGNATION OF VOTER REGISTRATION AGENCIES

(a) The following state agencies are designated as voter registration agencies:

- (1) Health and Human Services Commission;
- (2) Department of Aging and Disability Services;
- (3) Department of Assistive and Rehabilitative Services;
- (4) Department of State Health Services; and
- (5) any other agency or program as determined by the secretary of state that primarily provides:
  - (A) public assistance; or
  - (B) services to persons with disabilities.

# *Additional Agencies*

- 
- (b) The Department of Public Safety is designated as a voter registration agency.
  - (c) Each public library, including any branch or other service outlet, is designated as a voter registration agency. In this chapter, "public library" means a library that:
    - (1) is regularly open for business for more than 30 hours a week;
    - (2) is operated by a single public agency or board;
    - (3) is open without charge to all persons under identical conditions; and
    - (4) receives its financial support wholly or partly from public funds.
  - (d) Each marriage license office of the county clerk is designated as a voter registration agency.
  - (e) The secretary of state shall designate other agencies or offices as voter registration agencies as necessary for compliance with federal law.

# *Voter Registration Agency Duties*



- Designate an Agency Coordinator
- Offer each person who applies for agency services the opportunity to register to vote.
- Provide same degree of assistance , including bilingual assistance, to help the person complete the VR form as you would helping the person complete the agency forms

# *Prohibited Acts Under NVRA*



- An employee of a voter registration agency may not:
  - (1) seek to influence an applicant's political party preference;
  - (2) display any political party preference or allegiance; or
  - (3) make any statement or take any action the purpose or effect of which is to:
    - (A) discourage the applicant from registering to vote; or
    - (B) lead the applicant to believe that a decision of whether to register has any bearing on the availability of services or benefits

# *Who is Eligible to Register to Vote?*



- At least 18 years of age on election day
- United States Citizen
- Not a convicted felon (unless a person's sentence is completed, including any probation or parole)
- Not declared mentally incapacitated by a court of law
- Be a resident of the county where the application for registration is made.

# *Determining Eligibility*



- (a) An employee of a voter registration agency may not make a determination about a person's eligibility for registration other than a determination of whether the person is of voting age or is a United States citizen.
- (b) A person's age or citizenship may be determined by the employee only if the age or citizenship can be readily determined from information filed with the agency by the person for purposes other than voter registration.
- (c) A person shall be offered voter registration assistance as provided by this chapter even if the person's age or citizenship cannot be determined.

# *The Voter Registration Form*



- Name
- Residence address—problems with residence address can't acquire residence at the state hospital, suggest close relative, call SOS office
- Mailing address
- Date of Birth
- Gender, Telephone Number, OPTIONAL
- Driver's license number, REQUIRED
- Last 4 digits of Social Security number, MAY BE REQUIRED
- Sign
- Agent (husband, wife, father, mother, son, or daughter)
- Agency representative must review for completeness

Fold on line and seal before mailing

For Assistance  
Call your local Voter Registrar or  
Office of the Secretary of State  
Toll Free: *Si necesita asistencia  
llame gratis al:*  
1-800-252-VOTE(8683)  
www.sos.state.tx.us



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**  
FIRST CLASS MAIL PERMIT NO. 4511 AUSTIN, TX



POSTAGE WILL BE PAID BY ADDRESSEE

REGISTRAR OF VOTERS  
COUNTY COURTHOUSE  
(CITY) (ZIP CODE)  
\_\_\_\_\_, TX \_\_\_\_\_

Fold on line and seal before mailing

**Qualifications**

- You must register to vote in the county in which you reside.
- You must be a citizen of the United States.
- You must be at least 17 years and 10 months old to register, and you must be 18 years of age by election day.
- You must not be finally convicted of a felony, or if you are a felon, you must have completed all of your punishment, including any term of incarceration, parole, supervision, period of probation, or you must have received a pardon.
- You must 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.

**General Information**

- Your voter registration will become effective 30 days after it is received or on your 18th birthday, whichever is later. Your registration must be effective on or before an election day in order to vote in that election.
- If you move to another county, you must re-register in the county of your new residence.
- You must provide your Texas driver's license or personal identification number. If you do not have a driver's license or personal identification number, give the last four digits of your social security number. If you do not have any of these identification numbers, then check the appropriate box on the application side.
- If you have not been issued any of the identification numbers as described above, you will be required to present identification when you vote in person or enclose a copy of such identification with your ballot if you vote by mail. Identification includes: any photo ID; a copy of a current utility bill; bank statement; government check; paycheck; or other government document that shows your name and address.

Este formulario está disponible en Español.  
Favor de llamar sin cargo a la oficina del Secretario de Estado al 1-800-252-8683 para conseguir una version en Español.

**Texas Voter Registration Application**

For Official Use Only

Prescribed by the Office of the Secretary of State VR17.09E.13

Please complete sections by printing LEGIBLY. If you have any questions about how to fill out this application, please call your local voter registrar or the Secretary of State's Office toll free at 1-800-252-VOTE(8683), TDD 1-800-735-2989, www.sos.state.tx.us.

**1 These Questions Must Be Completed Before Proceeding**

Check one

- New Application     Change of Address, Name, or Other Information     Request for a Replacement Card

Are you a United States Citizen?     Yes     No

Will you be 18 years of age on or before election day?     Yes     No

If you checked 'No' in response to either of the above, do not complete this form.

Are you interested in serving as an election worker?     Yes     No

<b>2</b> Last Name Include Suffix if any (Jr, Sr, III)	First Name	Middle Name (if any)	Former Name (if any)
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<b>3</b> Residence Address: Street Address and Apartment Number. If none, describe where you live. (Do not include P.O. Box, Rural Rt. or Business Address)	City	TEXAS
		Zip Code

<b>4</b> Mailing Address: Street Address and Apartment Number. (If mail cannot be delivered to your residence address.)	City	State
		Zip Code

<b>5</b> Date of Birth: (mm/dd/yyyy)	<b>6</b> Gender (Optional) <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>7</b> Telephone Number (Optional) Include Area Code ( ) - -
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<b>8</b> Texas Driver's License No. or Texas Personal I.D. No. (Issued by the Department of Public Safety)	If no Texas Driver's License or Personal Identification, give last 4 digits of your Social Security Number
- - - -	XXX-XX- - - - -
<input type="checkbox"/> I have not been issued a Texas Driver's License/Personal Identification Number or Social Security Number.	

- 9** I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to 180 days, a fine up to \$2,000, or both. Please read all three statements to affirm before signing.
- I am a resident of this county and a U.S. citizen;
  - I have not been finally convicted of a felony, or if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and
  - I have not 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.

**X** \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Signature of Applicant or Agent and Relationship to Applicant or Printed Name of Applicant if Signed by Witness and Date.

*Fold on line and seal before mailing*

For Assistance  
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Office of the Secretary of State  
Toll Free: *Si necesita asistencia  
llame gratis al:*  
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**REGISTRAR OF VOTERS**

COUNTY COURTHOUSE

(CITY)

(ZIP CODE)

\_\_\_\_\_, TX \_\_\_\_\_

## Qualifications

- You must register to vote in the county in which you reside.
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- You must provide your Texas driver's license or personal identification number. If you do not have a driver's license or personal identification number, give the last four digits of your social security number. If you do not have any of these identification numbers, then check the appropriate box on the application side.
- If you have not been issued any of the identification numbers as described above, you will be required to present identification when you vote in person or enclose a copy of such identification with your ballot if you vote by mail. Identification includes: any photo ID; a copy of a current utility bill; bank statement; government check; paycheck; or other government document that shows your name and address.

# Texas Voter Registration Application

For Official Use Only

Prescribed by the Office of the Secretary of State

VR17.09E13

Please complete sections by printing LEGIBLY. If you have any questions about how to fill out this application, please call your local voter registrar or the Secretary of State's Office toll free at 1-800-252-VOTE(8683), TDD 1-800-735-2989, [www.sos.state.tx.us](http://www.sos.state.tx.us).

## 1 These Questions Must Be Completed Before Proceeding

Check one

New Application

Change of Address, Name,  
or Other Information

Request for a Replacement Card

Are you a United States Citizen?

Yes

No

Will you be 18 years of age on or before election day?

Yes

No

If you checked 'No' in response to either of the above, do not complete this form.

Are you interested in serving as an election worker?

Yes

No

<b>2</b> <b>Last Name</b> Include Suffix if any (Jr, Sr, III)	<b>First Name</b>	<b>Middle Name</b> (if any)	<b>Former Name</b> (if any)
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<b>3</b> <b>Residence Address:</b> Street Address and Apartment Number. If none, describe where you live. (Do not include P.O. Box, Rural Rt. or Business Address)	<b>City</b>	<b>TEXAS</b>
		Zip Code

<b>4</b> <b>Mailing Address:</b> Street Address and Apartment Number. (If mail cannot be delivered to your residence address.)	<b>City</b>	<b>State</b>
		Zip Code

<b>5</b> <b>Date of Birth:</b> (mm/dd/yyyy) □□/□□/□□□□	<b>6</b> <b>Gender</b> (Optional) <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>7</b> <b>Telephone Number</b> (Optional) Include Area Code (□□□)□□□-□□□□
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<b>8</b> <b>Texas Driver's License No. or Texas Personal I.D. No.</b> (Issued by the Department of Public Safety) □□□□□□□□	<b>If no Texas Driver's License or Personal Identification, give last 4 digits of your Social Security Number</b> XXX-XX-□□□□
---	--

I have not been issued a Texas Driver's License/Personal Identification Number or Social Security Number.

**9** I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to 180 days, a fine up to \$2,000, or both. Please read all three statements to affirm before signing.

- I am a resident of this county and a U.S. citizen;
- I have not been finally convicted of a felony, or if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and
- I have not 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.

**X** \_\_\_\_\_

Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_


Signature of Applicant or Agent and Relationship to Applicant or Printed Name of Applicant if Signed by Witness and Date.

B1-9(3)NB.ID2

Name, Voter Registrar  
Telephone Number  
Address  
City, State, Zip

Secretary of State's Office  
Elections Division  
1-800-252-VOTE (8683)

**RETURN SERVICE REQUESTED**

VOTER REGISTRATION CERTIFICATE (Certificado de Registro Electoral)			COUNTY (Condado)				
VOID (VUID)	Gender (Sexo)	Valid From (Valido desde)	13	30	69	1	2
1234567890	M	01/01/2010	USREP	STSEN	STREP	COMM	JP
Year of Birth (Año de Nacimiento)	Prec. No (Pct.Num.)	thru (hasta)	LAKE	2E	3E	4E	1E
1975	10	12/31/2011	CITY	SCHOOL	WATER	NAVIG	SMCITY
Name and Permanent Residence Address (Nombre y dirección residencial permanente)			Name and Mailing Address (Nombre y dirección de correo)				
PUBLIC, JOHN Q 123 ANYWHERE ROAD ARLEN, TX 54321							
X VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE (El votante debe firmar esta tarjeta personalmente al punto de recibirla, si puede.)			JOHN PUBLIC P O BOX 98765 TRAVIS AFB CA 97531-8642				

Party Primary  
Voted in the  
(Votó en la elección primaria del partido político registrado arriba)

# *Applicants May Decline to Register*



- (a) If the applicant does not wish to complete a voter registration application form, the agency employee shall request that the applicant complete and sign an official declination of registration form unless the employee determines that the applicant has previously completed and signed the form.
- (b) If the applicant refuses to sign the declination form, the agency employee shall enter on the form a notation of that fact.
- (c) The agency shall preserve each declination for at least 22 months after the date of signing. The declination may be retained in the applicant's file at the agency or in a separate declination file.
- (d) A declination is confidential and may be used only for voter registration purposes.
- (e) The secretary of state shall prescribe the procedures necessary to eliminate the filing of multiple declinations by an applicant.


# *Official Declination of Registration Form*



The officially prescribed form for a declination of a voter registration must include:

- spaces for the person's signature and printed name and the date of signing;
- the following question, followed by appropriate boxes preceding "YES" and "NO": *"If you are not registered to vote where you live now, would you like to apply to register to vote here today?"*.
- If the agency provides public assistance, the statement: *"Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency."*; and
- the statement: ***"IF YOU HAVE NOT CHECKED EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME."***;

# *Official Declination of Registration Form*


- 
- The statement: *"If you would like help filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."*;
  - The statement: *"If you believe that someone has interfered with your right to register or to decline to register to vote or with your right to privacy in deciding whether to register or in applying to register to vote, you may file a complaint with the Elections Division of the Office of the Secretary of State, P.O. Box 12060, Austin, Texas 78711."*;
  - A statement that if the applicant declines to register to vote, that fact will remain confidential and will be used only for voter registration purposes;
  - a statement that if the applicant does register to vote, information regarding the agency or office to which the application is submitted will remain confidential and will be used only for voter registration purposes; and
  - a space for indicating that the applicant refused to sign the declination or kept the application to personally submit it to the voter registrar.

# *Agency Review and Delivery of Applications*



- Forms must be delivered to Voter Registrar not later than 5 days after being signed
- Business Reply Label –SOS pays the postage

# *Services Rendered by Mail or Phone*

- 
- (b) An agency shall deliver to an applicant by mail a voter registration application form if:
    - (1) the agency automatically notifies an applicant to renew or recertify a service by mailing a form to the applicant; or
    - (2) the applicant requests services by telephone and the agency provides services in that manner.
  - (c) An application form delivered by mail must be accompanied by a notice informing the applicant that the application may be submitted in person or by mail to the voter registrar of the county in which the applicant resides or in person to a volunteer deputy registrar for delivery to the voter registrar of the county in which the applicant resides.
  - (d) The agency may maintain a written record indicating that a registration application was delivered to an applicant.
  - (e) The agency is not required to deliver a declination of registration form under this section.

# *Residence*



- a. A voter's residence is his or her domicile, per Section 1.015 of the Code.
- b. Statutory residence (in the context of voter registration and candidacy) is domicile, and all the common-law elements evidencing domicile apply.
- c. An individual does not lose his or her residence by temporarily leaving his or her home

## *Residence (cont'd)*



- d. An individual does not acquire residence by staying in a place temporarily, if he or she lacks the intention of making that temporary dwelling place home.
- e. An inmate in a penal institution or an involuntary inmate in a hospital or eleemosynary institution does not acquire residence at the place where the institution is located, given the lack of intention presumed from the involuntary nature of the commitment.

# *Important 2009-2010 Election Dates*

- 
- November 3, 2009 – Constitutional Amendment Election
    - last day to register to vote is October 5, 2009
  - March 2, 2010 - Primary Election
    - last day to register to vote is February 1, 2010
  - April 13, 2010 – Primary Runoff Election
    - last day to register to vote is March 15, 2010
  - May 8, 2010 – Uniform Election
    - last day to register to vote is April 8, 2010
  - November 2, 2010 – General Election
    - last day to register to vote is October 4, 2010

# *Help America Vote Act*



- Accessible Voting System in every polling place
- Provisional Voting
- Statewide computerized voter registration list

# *Office of the Secretary of State Elections Division*

P.O. Box 12060

Austin, Texas 78711-2060

512.463.5650 or

1.800.252.VOTE (8683)

Fax 512.475.2811

TTY 7.1.1

[www.sos.state.tx.us](http://www.sos.state.tx.us)

