

Implementing the National Voter Registration Act (NVRA): State Agencies



Overview

- National Voter Registration Act of 1993 (NVRA)
- NVRA: Goals & Objectives
- Voter Registration Agency Responsibilities
- Applications & Declinations
- Application Submission
- Agency Implementation

National Voter Registration Act of 1993 (NVRA)

- **Federal** statute passed by Congress in 1993
- 44 states, **including Texas**, were required to implement the NVRA by January 1, 1995
- State agencies that provide public assistance and certain other public entities **are required** to offer the opportunity to register to vote to their clients.

Goals of the NVRA

- Increase Voter Registration
- Enhance Voter Participation
- Protect the Integrity of the Electoral Process

Texas Voter Registration Agencies

Texas Election Code (TEC) § 20.001

- Texas Health and Human Services Commission (HHSC)
 - Department of Family and Protective Services (DFPS)
 - Department of State Health Services (DSHS)
- Texas Workforce Commission (TWC)
- Department of Public Safety (DPS)
- Any other agency or program as determined by the Secretary of State that primarily provides public assistance or services to persons with disabilities.

Other Designated Agencies

- Texas Rehabilitation Commission
- Texas School for the Blind and Visually Impaired
- Texas School for the Deaf
- Texas Commission for the Blind
- Public Libraries
- High Schools
- Federal online application
- Military / U.S. Department of Defense
- County Marriage License Bureaus
- Cities
- Voter Registrars

Why State Agencies?

State agency voter registration reaches those populations that **are least registered:**

- Low Income
- People with Disabilities
- Youth
- Populations with high residential mobility

The Goal?





Voter Registration Agency Responsibilities

OFFERING VOTER REGISTRATION

Responsibilities

Each voter registration agency **must**:

- offer voter registration applications to all persons applying for agency services (TEC §20.032(a));
- if an agency provides services at a person's residence, the agency must also provide the opportunity to complete a voter registration application (TEC §20.032(b)); *and*
- provide the same degree of assistance that you provide to a patron completing agency forms, including bilingual assistance. (TEC §20.005)

Methods of Distribution

Distribution of voter registration applications and informational notices may be included as part of the **routine distribution of agency related forms and services** in the following ways:

- on-site or off-site direct interactions;
- by mail; *or*
- by electronic transmission such as email.

Services Rendered by Mail or Phone

TEC § 20.037

An agency **must provide** a voter registration application to applicants by mail *if*:

- the agency automatically notifies an applicant to renew or recertify a service by mailing a form to the applicant; *or*
- the applicant requests agency services by telephone and the agency provides services in that manner.

Services Rendered by Mail or Phone

TEC § 20.037

Mailed voter registration applications **must include 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.



Voter Registration

APPLICATIONS AND DECLINATIONS

Updated May 2023



Voter Registration Applications

- Agencies may use the Secretary of State prescribed voter registration application form **or** one that the public agency has created and **approved** by the SOS. (TEC § 20.002)
- Printing formats and specifications will be provided by the SOS. Agencies are responsible for the printing of applications based on agency need and distribution demand.

Declination of Registration

TEC § 20.036

- If an applicant declines the voter registration application, a declination of registration form should be **completed and signed** by the applicant.
- If the applicant refuses to sign the declination form, the agency employee must include a notation of that fact on the form.
- Declination forms must be preserved for at least 22 months after the date of signing either in the applicant's file at the agency or in a separate declination file.
- Declinations **are confidential** and may be used only for voter registration purposes.
- The Secretary of State will prescribe procedures necessary to eliminate the filing of multiple declinations by an applicant.

Official Declination of Registration Form

TEC §20.003

The officially prescribed form for a declination of a voter registration application **must include** the following:

- Sufficient spaces for the person's signature, printed name and the date of signing;
- 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.

Official Declination of Registration Form

The officially prescribed form for a declination of a voter registration application must include the following questions/statements:

- “If you are not registered to vote where you live now, would you like to apply to register to vote here today?” followed by appropriate “Yes” and “No” boxes;
- “Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.”;
- “IF YOU HAVE NOT CHECKED EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.”;
- “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.”; *and*
- “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.”

Application Submission

COLLECTING AND DELIVERING APPLICATIONS



Collection & Delivery

TEC § 20.035(b)

Once collected by agency personnel, the agency **must**:

- deliver in person all completed registration applications submitted to agency employees to the **voter registrar of the county** in which the agency office is located; and
- deliver to the appropriate state election official **no later than the 5th day** after the application is submitted to an agency employee.



Agency Implementation

OFFERING VOTER REGISTRATION

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Implementation Planning

TEC §20.004

Each voter registration agency **must**:

- Prepare and submit a plan to implement voter registration procedures to the SOS office;
- Designate a point of contact and provide all necessary contact information to the SOS; *and*
- Conduct training for agency employees in voter registration procedures.
- Either email the plan to elections@sos.texas.gov, fax the plan to 512-463-7552, or mail to P.O. Box 12060, Austin, TX 78711.

Note: Public agencies designated under Chapter 20 of the Texas Election Code as voter registration agencies are not required to obtain certification as voter registrars.

Best Practices to Ensure Compliance

- Employee training on voter registration responsibilities under the NVRA/Texas Election Code should occur **frequently**;
- Employee training should occur **before** contact with clients; and
- Each local agency office must be stocked with an adequate supply of voter registration application forms. An adequate supply is the number of forms needed to distribute with each covered transaction for a period not less than two months.

Voter Registration Resources

Please visit our website for additional training material and voter education resources at www.sos.texas.gov.

- NVRA Training Presentations
- Implementation Plan Templates
- Voter Identification Information
- Posters & Pamphlets

AWA 9 Prescribed by Secretary of State - Section 62.004, Texas Election Code (10/2018)

ID required for Texas Voters

If you possess one of the following forms of acceptable photo ID, you must present it when voting in person:^{*}


- ★ Texas Driver License issued by the Texas Department of Public Safety (DPS)
- ★ Texas Election Identification Certificate issued by DPS
- ★ Texas Personal Identification Card issued by DPS
- ★ Texas Handgun License issued by DPS
- ★ United States Military Identification Card containing your photograph
- ★ United States Citizenship Certificate containing your photograph
- ★ United States Passport (book or card)

Do not possess and cannot reasonably obtain one of these IDs? Fill out a declaration at the polls describing a reasonable impediment to obtaining it, and show a copy or original of one of the following supporting forms of ID:

- ★ A government document that shows your name and an address, including your voter registration certificate;
- ★ Current utility bill;
- ★ Bank statement;
- ★ Government check;
- ★ Paycheck; or
- ★ (a) A certified domestic (from a U.S. state or territory) birth certificate or (b) a document confirming birth admissible in a court of law which establishes your identity (which may include a foreign birth document).

^{*} With the exception of the U.S. Citizenship Certificate, for voters aged 18-64, the acceptable forms of photo identification must be current or have expired no more than 4 years before being presented for voter qualification at the polling place. A person 70 years of age or older may use a form of acceptable photo identification that has expired if the identification is otherwise valid.
Exemptions: Voters with a disability may apply with the correct name request for a permanent exemption to display acceptable photo ID or otherwise the Reasonable Impediment Declaration procedure at the polls. Voters with a religious objection to being photographed or voters who do not present an acceptable form of photo identification or follow the Reasonable Impediment Declaration procedure at the polls because of certain national disaster may apply for a temporary exemption to showing an acceptable form of photo identification or following the Reasonable Impediment Declaration procedure at the polls. Please contact your voter registrar for more details.

VOTETEXAS.GOV



Office of the Secretary of State

Elections Division
P.O. Box 12060
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1.800.252.VOTE(8683)
512.463.7552 – fax
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