



NVRA Implementation: State Agencies Guide



**Texas Secretary of State
Elections Division**

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INTRODUCTION

The Elections Division of the Office of the Secretary of State has prepared this guide for use by all state agencies designated as voter registration agencies. This handbook is merely intended to be a reference for implementing a voter registration program. It should be used in conjunction with all federal and state law including the National Voter Registration Act of 1993 and the Texas Election Code. Any questions or concerns should be directed to the Elections Division at the Office of the Secretary of State.

State agencies play a vital role in voter registration because they are accessible and convenient for people who face obstacles such as limited access, limited information, and time constraints that prevent them from registering to vote. By integrating voter registration into routine interactions with the public, state agencies can help reach underrepresented populations who may otherwise face barriers to registration.

References in this guide are made to the appropriate sections in the Texas Election Code, unless otherwise indicated.

Visit sos.texas.gov, as well as votetexas.gov, for additional election information.

The Office of the Secretary of State does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services.



NATIONAL VOTER REGISTRATION ACT OF 1993

The National Voter Registration Act (NVRA) of 1993, also known as the Motor Voter Act, is a federal law designed to make it easier for Americans to register to vote and to increase voter participation in elections. It requires states to offer voter registration opportunities at motor vehicle departments, public assistance offices, and other state agencies. The law also allows registration by mail and sets rules for maintaining accurate and fair voter registration records. The NVRA aims to reduce barriers to voter registration and protect the integrity of the electoral process.

TEXAS ELECTION CODE

The State of Texas passed legislation to address the above requirements and to ensure compliance with the federal law. Chapter 20 of the Texas Election Code (TEC) outlines the requirements and specifically designates the following agencies as voter registration agencies:

- Health and Human Services Commission (HHSC);
- Texas Workforce Commission (TWC);
- Department of Public Safety (DPS);
- Each public library, including any branch or other service outlet; and
- Any other agency or program as determined by the Secretary of State that primarily provides public assistance or services to persons with disabilities.

OFFICE OF THE SECRETARY OF STATE

As the chief election official for the State of Texas, the Secretary of State assists county election officials to ensure the uniform application and interpretation of election laws throughout Texas. The Secretary of State is also responsible for prescribing procedures and advising on voter registration activities, including those of state agencies designated as voter registration agencies, to ensure compliance with both state and federal law. As such, it is the role of this office to work collaboratively with all designated state agencies by providing educational resources, stakeholder training, program oversight, and voter registration materials to assist with implementation planning and the provision of voter registration opportunities.

GENERAL RESPONSIBILITIES OF A TEXAS STATE AGENCY

- Designated voter registration agencies must develop a written implementation plan.
- Texas voter registration agencies must offer voter registration applications to members of the public who are applying for or renewing agency services.
- If these services are provided at the person's residence, the agency must also provide the opportunity to complete a voter registration application at that time.
- All agencies must provide the same degree of assistance in completing voter registration paperwork as the agency would provide for assistance with agency related documentation. This includes, but is not limited to, bilingual assistance.



IMPLEMENTATION PLANNING

A voter registration agency must develop a written plan for the implementation of all required voter registration procedures. This plan should be reviewed annually to ensure all information, including the designated coordinator, is still current and that the agency is following state and federal law.

An implementation plan **must** include:

- The agency name and title;
- At least one voter registration program coordinator;
 - The coordinator's name and contact information must be provided to the Secretary of State annually.
 - The voter registration coordinator is responsible for training agency employees on all voter registration procedures and requirements.
- Designated divisions/departments that are responsible for implementation of voter registration services;
- A basic overview of voter registration procedures;
- A training plan that the coordinator will be providing to their staff;
- The implementation date;
- The location and office hours for voter registration services; and
- An agency email or phone number for voter registration questions.

This plan must be submitted to the Secretary of State annually.

The Office of the Secretary of State will assist in providing educational resources and training as requested. State agencies designated under Chapter 20 of the Texas Election Code as voter registration agencies are not required to obtain additional certification as voter registrars.

Visit the Secretary of State's [website](#) for step-by-step implementation plan training, including a Sample Agency Implementation Plan template.

SPECIFIC RESPONSIBILITIES OF A TEXAS STATE AGENCY

Providing Voter Registration Applications

- Voter registration agencies can use either the Secretary of State's standard application form or their own agency-created form.
- Agency-created forms must be approved by the Secretary of State to ensure they comply with all legal requirements.
- The Elections Division will provide form formatting guidelines, printing specifications, and other relevant details.

Methods of Distribution

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.



Mail or Telephone Notices

- If the agency routinely provides applications or renewals of services by mail or telephone, the agency must also include the voter registration opportunity as part of that communication.
- If a voter registration application is provided by mail, the information must include a notice of application return options.
- This notice should include the name and delivery address of the voter registrar or a volunteer deputy registrar in the county in which the applicant resides.

Declination of Registration Form Requirements

- Applicants who decline the opportunity to complete a voter registration application should complete and sign a declination form.
- If the applicant does not complete a declination form, the agency employee should make a notation on the form with the applicant's information and keep the declination form as part of the agency's records.
- If the applicant chooses to keep the registration application form, the agency employee should indicate on the declination form that after given the opportunity to register, the applicant kept the application for personal submission to the voter registrar.
- Declination forms must be preserved for at least twenty-two (22) months as part of the individual's agency file or in a separate declination file.
- Declinations are confidential and may only be used for voter registration purposes.
- State agencies may create their own agency specific declination forms. An extensive list of requirements for this form are outlined in Section 20.003.
- The Department of Public Safety is not required to comply with the procedures relating to the declination form.

Voter Registration Eligibility

To be eligible to vote in the State of Texas, all applicants must meet the following requirements:

- be a United States Citizen;
- be at least 17 years and 10 months old;
- be a resident of Texas;
- not have been finally convicted of a felony; and if so, have completed their term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; and
- not have been declared totally or partially mentally incapacitated without the right to vote by a court of law.

Assisting with Applications

Agency employees must provide all assistance to an applicant during the voter registration process that is routinely provided for agency services. However, an employee of a voter registration agency **may not** make any determination about a person's eligibility for registration other than whether or not a person is of voting age or is a U.S. Citizen. **A person's age and citizenship status may be determined only if such information is filed with the agency for purposes other than voting.** A person must be offered voter registration assistance even if the applicant's age and/or citizenship status cannot be determined.

If a question arises concerning voter registration that the agency employee cannot answer, the employee must provide the applicant with the following information:

- The toll-free number for the Elections Division of the Office of the Secretary of State (800-252-8683).
- The telephone number of the voter registrar with whom registration applications are submitted within the county.

Reviewing the Applications

Agency employees may review applications for completeness only if the applicant is present. If the agency employee determines that the application does not contain all required information and the required signature, the agency staff may return the application to the applicant for completion and resubmission.

The following sections of the voter registration application are **required** to be completed:

- **Section 1**—Applicant must select why they are submitting the application (new application, change of current information, or request for replacement certificate). Applicant must also answer citizenship and age questions;
- **Section 2**—Full name, including any middle, maiden, or former name;
- **Section 3**—Residence address must be a street address or a description of the location of the residence;
- **Section 4**—Valid mailing address, if mail cannot be delivered to the residence address;
- **Section 5**—City and county of former residence in Texas;
- **Section 6**—Date of birth, including month, day, and year;
- **Section 9**—Texas driver's license number, Texas personal ID number, or last 4 digits of social security number. If the applicant has not been issued any of these items, he or she must check the box in this section affirming this statement; and
- **Section 10**—Signature of applicant and date of signing. Be sure the applicant has read the statements that he/she is signing regarding qualifications to register. If an agent is registering for an applicant, be sure the agent provides his/her relationship to the applicant.

An agency employee **cannot**:

- Determine if the applicant is actually qualified to register to vote, or
- Make the applicant provide his/her gender or telephone number.

COLLECTION AND DELIVERY OF APPLICATIONS

Upon receipt of completed voter registration applications, state agency employees should deliver the applications in person to the voter registrar of the county in which the agency office is located. All completed applications must be delivered to the appropriate state election official no later than the 5th day after the application is submitted to an agency employee.

Information regarding the agency or office to which an application is submitted is confidential and may be used only for voter registration purposes.

REGISTRATION

When is the Registration Effective?

The applicant can vote as soon as the 30th day after submitting the application. This 30-day period starts when the state agency 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 receives the application or on the applicant's 18th birthday, whichever comes later.

How Long is the Registration Effective?

A voter's registration will be automatically renewed every even-numbered year unless:

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

Deadline for Voter Registration

Texas law requires eligible voters to register by the 30th day before Election Day. If you receive a voter registration application within four days before the last day to register for the upcoming election, you are required to deliver the application to the county voter registrar no later than 5:00 p.m. of the next regular business day after the date to submit a timely application.

Visit the [Important Election Dates](#) webpage for specific election dates and deadline information, including the last day to register to vote.

CHANGING VOTER REGISTRATION INFORMATION

Address Changes

If the voter moves, the voter must update the address on their registration by:

- Making the change on the back of the voter registration certificate and mailing it to the county voter registrar;
- Submitting a new application to the voter registrar and checking the box for "change";
- Writing a letter to the voter registrar explaining the change of address without having to submit any additional paperwork; or
- Updating information on their voter registration record through the VoteTexas.gov online portal.*

*A voter can update information on their voter registration record through the VoteTexas.gov online portal by clicking on "Am I registered?" To access the VoteTexas.gov portal, the voter will need their Voter Unique Identifier (VUID). The voter can find their VUID by visiting the Texas Secretary of State's *My Voter Portal* and entering their name, county, date of birth, and zip code to display their voter registration information.

Name Changes

If a voter's name changes, the voter can update their registration by:

- Making the change on the back of the voter registration certificate and mailing it to the county voter registrar;
- Submitting a new application to the voter registrar and checking the box for "change";
- Writing a letter to the voter registrar explaining the change of name without having to submit any additional paperwork; or
- Updating information on their voter registration record through the VoteTexas.gov online portal (see above note regarding accessing the VoteTexas.gov portal).

VOTER REGISTRATION APPLICATION TIPS

- **Use Ink**—The application should always be filled out with a black, blue, or other dark colored ink pen.
- **Print Legibly**—All information on the application must be legible. If an elections official cannot read the information on the application, they may not be able to enter the voter's name or other required information into the system.
- **Do Not Use Abbreviations**—For cities or street names, make sure the applicant has spelled out the address in its entirety unless they are commonly accepted, for example, "St" for "Street" or "Rd" for "Road."
- **No White-Out or Cross-Outs**—If an applicant makes a mistake, please have them start over with a new form instead of trying to fix the mistake by crossing out the incorrect information.

MOST COMMON VOTER REGISTRATION MISTAKES

While registering to vote is a simple process, small mistakes on an application can lead to delays or even prevent a person from being successfully registered. As a voter registration agency, it is important to be aware of the most common errors so you can help applicants avoid them. Catching these mistakes early ensures an application is completed accurately and processed without issues.

- **Failing to answer a required question in Section 1**—Checking the required boxes on an application is crucial because the purpose is to confirm essential eligibility criteria, such as U.S. citizenship and age requirements. Without checking these boxes, the application may be considered incomplete or invalid, leading to the applicant possibly being denied the opportunity to register.
- **Incorrect or outdated address**—An accurate address is essential on an application because it determines the voter's proper voting precinct, polling location and the specific local elections in which they are eligible to vote. If the address is incorrect or outdated, the voter may receive the wrong ballot, be assigned to the wrong district, or face delays or issues on Election Day. A correct address helps facilitate a smooth voting experience.
- **Not providing information in Section 9**—Providing a driver's license number or the last four digits of the applicant's Social Security Number is important because it helps verify identity when registering to vote. This information is used to confirm that the person submitting the application is who they say they are, which helps prevent voter fraud. Without this verification, the application may be delayed or rejected.
- **No signature or wrong date provided**—Not signing the application or writing the wrong date can make the application invalid. The signature serves as a legal authentication that the information provided is accurate. The date confirms when the application was completed. An unsigned form or incorrect date can delay processing, which can lead to the individual not being registered before the deadline.



REMINDERS – REQUIREMENTS AND PROHIBITED ACTS

State Agencies **must**:

- Offer voter registration services during any service that is provided by the state agency.
- Inform clients that registering to vote is voluntary and has no effect on the provision of agency services.
- Assist applicants with completing voter registration forms when help is requested.
- Provide voter registration forms in multiple languages and accessible formats to meet the needs of a diverse population.
- Train staff regularly to ensure they understand voter registration procedures and requirements.

State Agencies **cannot**:

- Refuse to offer voter registration services to individuals applying for services or assistance.
- Discriminate against applicants based on race, political affiliation, disability, language, or another protected characteristic.
- Attempt to influence political party choice while assisting with registration.
- Display political party material or messages in the voter registration area.
- Require additional documentation or impose extra steps beyond what is legally allowed for registration.
- Neglect to transmit completed voter registration applications to the voter registrar's office within the required timeframe.
- Fail to provide assistance with completing the registration form if requested.

VOTER REGISTRATION QUESTIONS

Any questions related to voter registration from agency employees or applicants should be referred to the Elections Division at the Office of the Secretary of State.

ADDITIONAL RESOURCES

Visit the Secretary of State's [website](#) for additional resources, including NVRA training presentations, implementation planning guidance, and voter identification and education materials.



Notes:

