October 1, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20229

TO: All County Clerks/Registrars of Voters

FROM: /s/ Jana M. Lean
                   Chief, Elections Division

RE: General Election: Conditional Voter Registration Implementation

As you are aware, Elections Code section 2170 requires all county elections officials to offer Conditional Voter Registration (CVR) and CVR provisional voting at all permanent and satellite county elections offices and all polling locations.

Given that many counties have changed the method by which they will be conducting the November 3, 2020, General Election, we wanted to provide a summary of the implementation methods available to counties.

"INSTANT"/NONPROVISIONAL CVR

In order to implement "Instant"/Nonprovisional CVR, the county must be able to use the statewide voter registration system (VoteCal) to do all of the following:

- Verify that the CVR voter

  o   is eligible to register,

  o   has not voted in that election, and

  o   has not been included on a roster for that election in a non-VCA county, and

  o   update the voter's record to indicate that the voter has voted in that election; and

- If the CVR voter appears on the county's roster for that election: update the roster to indicate that the voter has voted and shall not be issued another nonprovisional ballot for that election.

"Instant" CVR Implementation

"Instant" CVR implementation should be as follows:

- Provide the individual a voter registration application.

- Once the voter completes the application, the county elections official must verify that the CVR voter:
  - is eligible to register,
  - has not voted in that election, and
  - has not been included on a roster for that election in a non-VCA county.

- Determine the CVR voter's precinct.

- Provide the CVR voter a ballot for the voter's precinct, unless there is a red or yellow light for issuing and/or counting ballots as described in VoteCal Guidance: Ballot Processing (issued May 7, 2018).
  - If a red or yellow light is indicated, the CVR voter must vote provisionally/ place their voted ballot in a CVR provisional ballot envelope.

- Voter to place voted ballot into ballot box (CVR provisional ballot envelope is not used).

- Immediately upon ballot issuance, update the voter's record to indicate that the voter has voted in that election; ensure this information is sent to VoteCal in near real time.

- If the CVR voter appears on the county's roster for that election: update the roster to indicate that the voter has voted and shall not be issued another nonprovisional ballot for that election.

"REGULAR"/PROVISIONAL CVR

With "Regular"/Provisional CVR, the county does not have access to the statewide voter registration system (VoteCal) at the voting location to do the verifications required for "instant" CVR, and voted CVR ballots will be placed into CVR provisional ballot envelopes.

"Regular" CVR Implementation

There are three different methods counties can use to implement "regular" CVR, which will depend on the county's ability to precinct voters and provide the correct ballot type at their voting locations.

1. CVR implementation at a location where the county can precinct voters and has access to all ballot types should be as follows:

- Provide the individual a voter registration application.
- Once the voter completes the application, the county elections official determines the CVR voter's precinct.

- Provide the CVR voter a ballot for the voter's precinct.

- Voter places the voted ballot in a CVR provisional ballot envelope.

2. CVR implementation at a location where the <u>county can precinct voters, but will not have access to all ballot types</u> should be as follows:

- Inform the voter of the location of their correct polling place and their option to vote at the correct polling place or at their current location.

- If the individual does not wish to go to their polling place, provide the individual a voter registration application.

- Once the voter completes the application, the county elections official determines the CVR voter's precinct.

  o The Secretary of State recommends having a minimum of two workers at the polling place who have credentials to access the technology that can determine a CVR voter's precinct.

- Give the CVR voter:

  o a ballot that is available at the precinct, and

  o inform the voter that only the votes for the candidates and measures on which the voter would be entitled to vote in the voter's assigned precinct may be counted.

- Voter places the voted ballot in a CVR provisional ballot envelope.

3. CVR implementation at a location where the <u>county cannot precinct voters</u> should be as follows:

- If possible, inform the individual of the location of their correct polling place where the ballot for their precinct is available, and their option to vote at the correct polling place or at their current location.

- If the individual does not wish to go to their polling place or because the polling location does not have the technology to determine the CVR's precinct, provide the individual a voter registration application.

  o Give the CVR voter:

- a ballot that is available at the precinct, and
- inform the voter that only the votes for the candidates and measures on which the voter would be entitled to vote in the voter's assigned precinct may be counted.

  o Voter places the voted ballot in a CVR provisional ballot envelope.

If you have any questions about this memorandum, please contact Rachelle Delucchi at rdelucch@sos.ca.gov.

For VoteCal process related questions, please contact Catherine Ingram-Kelly at ckelly@sos.ca.gov.

Thank you.