

Frequently Asked Questions NVRA Training

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I. VOTER REGISTRATION BASICS

Who is eligible to register to vote?

Anyone can register to vote if they are:

- A United States citizen,
- A resident of California,
- 18 years old or older on Election Day,
- Not currently imprisoned or on parole for the conviction of a felony (for more information on the rights of people who have been incarcerated, please see the Secretary of State's **Voting Rights for Californians with Criminal Convictions or Detained in Jail or Prison**), and
- Not prohibited from voting by a court because of mental incompetency (for more information, please see **Voting Rights: Persons Subject to Conservatorship**).

Who is eligible to pre-register to vote?

To pre-register to vote in California, a person must:

- Be 16 or 17 years old, and
- Meet all of the other eligibility requirements to vote.

They will automatically be registered to vote on their 18th birthday.

How long before an election does a client need to register to vote?

California's voter registration deadline is 15 days before Election Day. A client's paper application must be postmarked by the 15th day before the election or the client can register to vote at RegisterToVote.ca.gov until midnight on the 15th day before the election. The voter registration deadline will always be available on the Secretary of State's website at www.sos.ca.gov. In some election, your client may be able to "conditionally" register and vote after the 15-day voter registration deadline. For more information please go to www.sos.ca.gov/elections/voter-registration/conditional-voter-reg/.

How long does a client need to be a California resident in order to register to vote?

A person is immediately eligible to vote after moving to California if he or she meets the other eligibility requirements. There is no waiting period.

Does a client need to re-register if they have moved or changed their name?

Yes. If they have moved since they last registered, their election materials (sample ballot, etc.) will go to the wrong address and they may encounter problems at the polls on Election Day. If they have changed their name, they should re-register with their new name in order to avoid problems on Election Day. If they wish to change their political party preference, they should also re-register.

Upon re-registration, Item 17 of the affidavit of registration should, if possible, be completed with the voter's previous registration information.

If a client did not vote in the last election, do they need to re-register?

No. In general, a voter's registration is permanent. However, if a voter has not voted in the last several elections, they may be sent a request to confirm that they have not moved.

Many of our clients are uncertain if they are registered to vote or registered to vote at their current address. What should they do in these situations?

When in doubt, always have a client register to vote. There is no penalty if a client re-registers when he or she is registered already. In fact, it helps the county elections office keep your client's information current. If a voter registration record already exists for that client, the record will be updated with the information and signature on the most recent voter registration card.

Can a client be registered to vote in two counties at the same time?

No. The counties communicate with each other to remove the voter from the old county and keep the voter in the most recent county. However, if for some reason the voter remains registered to vote in two counties, they may only vote in one county. Voting twice is a felony.

Does a person need a driver license, state identification, or a social security number in order to register to vote in California?

No. Your client can register to vote even if they do not have a California driver license, state identification, or a social security number as long as they meet other eligibility requirements. Just leave those field blanks. The county elections official will assign a unique identification number to the voter. However, if your client does not provide one of the three forms of identification when registering to vote, he or she will be required to show a form of identification or proof of residency when he or she votes for the first time.

Will a client need ID when they go to the polls to vote?

California does not have a voter ID requirement. However, if your client is voting for the first time and he or she did not provide a California driver license, state identification, or a social security number when they registered to vote, they will be asked to show a form of identification or proof of residency. A number of documents, such as a utility bill, will suffice as identification or proof of residence. If they do not have a government-issued ID, they should check with their county election office before Election Day to determine what to bring to the polls or review the complete list of acceptable forms of voter identification at elections.cdn.sos.ca.gov/regulations/hava_id_regs_from_barclays_3_3_06.pdf.

Can a client register to vote if he or she cannot read or write?

Yes. Being able to read and write is not a requirement to register to vote or to vote in the United States. If the client wishes to register to vote, assist the client with the voter registration application to the same degree as you would assist the client with your agency's own forms.

What if a client needs a voter registration card in a language that is not available at the agency's office?

The client can register to vote online in ten (10) different languages at RegisterToVote.ca.gov. They may also contact their county elections office to see if that office has a voter registration card in the language the client needs.

Can a client register to vote if he or she is homeless?

Yes. Having a home is not a requirement to register to vote or to vote in the United States. If a client does not have a home, he or she can describe where he or she lives on the voter registration card. He or she must then provide a mailing address. The mailing address can be a post office box, church, shelter, or any other place where the client receives his or her mail.

Does a client have to choose a political party?

No. If the client does not wish to choose a political party preference, they should choose "No."

Many of my clients with criminal records assume they cannot vote. Is that true?

In many cases in California, it is not true. Information about voter eligibility rules for people with prior criminal convictions is available on the Secretary of State's website at www.sos.ca.gov/elections/voting-resources/voting-california/who-can-vote-california/voting-rights-californians/. Keep in mind that the NVRA requires you to offer voter registration to all clients. You cannot withhold voter registration from a client because you believe a criminal record keeps him or her from voting. If you have concerns or questions, contact your county elections office.

If a client does not vote in a primary election, will they be able to vote in the following general election?

Yes.

If a client registers to vote can they be called for jury duty?

Jury duty lists are compiled from a variety of sources, including the Department of Motor Vehicles records and the voter registration file.

For more information on completing Voter Registration Cards, please go to [Basics for Completing Voter Registration Cards](http://elections.cdn.sos.ca.gov/nvra/training/pdf/staff-basics.pdf) at elections.cdn.sos.ca.gov/nvra/training/pdf/staff-basics.pdf.

II. NVRA BASICS

Which agencies are covered by the NVRA?

The NVRA applies to all state and local “public assistance” offices (i.e. offices administering public benefits programs) and offices serving people with disabilities. Agencies and programs that the Secretary of State has designated as covered by the NVRA are:

- County social services offices which administer the **CalFresh** program, the California Work Opportunity and Responsibility to Kids (**CalWORKs**) program, and the **Medi-Cal** program
- County social services offices and community based non-profit organizations under contract with the State Department of Public Health, which accept applications and administer benefits for the **Women, Infants and Children (WIC)** nutrition program
- County social services offices, which accept applications and administer benefits for **In-Home Supportive Services Program (IHSS)**
- **Covered California** (California’s Health Benefit Exchange)
- Offices of the **State Department of Rehabilitation**, which provide vocational rehabilitation services
- **Independent Living Centers**
- State Department of **Developmental Services Regional Centers**
- Offices of contractors with the State Department of Social Services **Office of Deaf Access**, which provide services to the deaf
- **State and county mental health providers**

If the agency is a nonprofit or private contractor are they covered by the NVRA?

In California, if a **private or nonprofit entity** provides public assistance or services to people with disabilities under a contract with one of the government agencies listed above, that private or nonprofit entity is also subject to the NVRA.

What are the first steps my agency should take to begin implementing the NVRA?

Call your county elections office’s NVRA Coordinator and identify your agency as an NVRA agency. Give the county NVRA Coordinator your full contact information. Make sure the NVRA Coordinator is aware of all sites within the county where you will be providing voter registration opportunities to clients. During that same phone conversation, you should be able to order a supply of voter registration cards in all required languages. Voter registration cards are available at no cost. Make sure the county NVRA Coordinator knows which voter registration cards are going to each site. If you are not sure which languages are required for your county, ask your county NVRA Coordinator. Once you know the required languages for your county, download voter preference forms in those languages at www.sos.ca.gov/elections/voter-registration/nvra/training/voter-preference-forms/.

Train your staff as soon as you can, using the Secretary of State’s training resources at www.sos.ca.gov/elections/nvra/training.

When and how does my agency provide voter registration?

Offer voter preference forms and voter registration cards to clients at applications for benefits/services, re-certifications or renewals of benefits/services, and when you are notified

that a client has changed his or her name or address. If a client declines to register to vote on the voter preference form, let him or her take the voter registration card home. If the client wants to register to vote, offer assistance filling out the voter registration card with the client, check to make sure it is complete, and collect it from him or her. Remember to tear off the bottom portion for the client. That is his or her receipt. Place the completed voter registration card in the mail that same day. Postage is prepaid and the voter registration card is pre-addressed.

When I contact my county NVRA Coordinator, can I ask them to mail the voter registration card supplies or are we expected to travel to the office and pick them up?

Each county is different. Contact your county's NVRA coordinator to get more information.

Can we include the voter preference form as part of our intake application/packet and provide those that would like to register with a voter registration card?

Clients must receive the voter registration card unless they decline in writing to register to vote. The best way to accomplish this is to provide every client with both forms. If the client checks "No" on the preference form, you can collect the blank voter registration card or the client may take it home.

We serve close to 10,000 consumers annually, so do we have to have 10,000 voter preference forms and voter registration cards on hand every year?

Yes. The voter preference form and voter registration card must be given to every client upon an application for benefits/services, recertification or renewal of benefits/services, or when you are notified that a client has changed his or her name or address. This means you might offer voter registration to a client more than once per year. If a client does not wish to register to vote, he or she can always hand back the voter registration card to your staff, thus allowing you to reuse it.

I know that we need to offer voter registration services to people who are filling out an intake application. Does that apply to everyone who fills out an intake application, regardless of whether or not they are eligible to receive benefits or services from my agency?

Yes.

What do I do with the voter preference form once it is completed?

The voter preference form must be kept on file at your office/agency for two years. A client's completed voter preference form can be kept in that client's file or all voter preference forms can be filed in one place. The signed voter preference forms can also be scanned and saved electronically.

I am the NVRA Coordinator for my agency but we have several sites where we provide voter registration. Should we have coordinators at every site?

If an agency has multiple sites, the Secretary of State recommends that each site have one appointed NVRA coordinator so staff can easily turn to someone for help regarding NVRA compliance issues. Your agency must have at least one NVRA coordinator.

My agency serves clients from multiple counties. Do we need to have voter registration cards on-hand from all of those counties?

Yes. In each of the counties from which you receive clients, notify the county elections office of your agency and order county specific voter registration cards. Make sure your offices that serve multiple counties always have voter registration cards from all relevant counties in stock.

Can our staff encourage clients to register to vote?

Yes. Under federal law, you cannot *discourage* a client from registering to vote. You may generally *encourage* clients to register, as long as the client understands that registering to vote is not a condition of receiving benefits from your agency. You cannot influence a client's choice of political party.

How is the privacy of our clients protected?

Federal law requires elections officials to protect the confidentiality of people who register to vote at NVRA agencies. So while elections offices know the serial numbers on the voter registration cards at each agency, that information is only used to tally the total number of people who register to vote at a given agency each month. The agency at which a specific voter registered to vote is confidential and not available to the public.

How can agencies see how they are performing on the NVRA?

The number of registrations generated by each site within each agency is provided in a monthly report posted on the Secretary of State's website at www.sos.ca.gov/elections/voter-registration/nvra/reports/sb35-nvra-monthly-reports/. If your agency is not listed or some sites within your agency are not listed, or you feel the voter registration data is inaccurate, please contact your county's NVRA Coordinator.

My agency is offering voter registration to clients consistently but the reports on the Secretary of State's website say we are registering zero clients each month. Why?

There may be a miscommunication between your office and the county elections office. You may be using voter registration cards that county elections staff are unaware you have on site, you may be using cards that the county elections staff cannot track, or the county elections staff may have your agency name recorded incorrectly. A simple phone call to your county's NVRA Coordinator should resolve the problem.

Serving Clients with Disabilities

If a client with a disability registers to vote, will he or she be able to cast a ballot on Election Day?

Yes. Every polling location in America is required to have at least one accessible voting machine that allows a person with a disability to vote privately and independently. People with disabilities also have the option of bringing up to two people of their choice to assist them with voting on Election Day, as long as those people are not agents of the voter's employer or union.

If a client receives services in the home, should my agency's staff offer voter registration in the home?

Yes. If an application, recertification/renewal, or change of address notification happens in the home, then voter registration must be offered in the home. Your staff should carry voter preference forms and voter registration cards with them so they are prepared if this happens.

My agency often serves people in moments of crisis. Do we have to offer voter registration then?

Your agency must only offer voter registration during applications for benefits/services, recertification/renewal of benefits/services, and when a client submits a change of address. If one of these transactions occurs during a moment of crisis, offer voter registration at a later time when the client fills out other paperwork.

Our agency serves many clients who are conserved. Do they have the right to vote?

There is a presumption in the law that a person is competent to vote regardless of whether he or she is conserved. As such, being conserved does not automatically take away a person's right to vote. A court is the only entity that can revoke someone's right to vote and the court must make a specific finding to do so, apart from assigning someone a conservator. For more information on a conservatee's voting rights visit www.sos.ca.gov/elections/voting-info/conservatorship/. If a court has revoked your client's right to vote but your client is interested in voting, your client should seek assistance from an attorney.

If a conservator feels adamantly a conservatee should not register to vote, but no one including the conservator is claiming that a court has revoked the right to vote, should I offer voter registration?

Yes. A conservator never has the right to make the voter registration decision. Either a court has taken away the right to vote or the conservatee him or herself retains the right to register and to vote. Allowing a conservator to stop voter registration from happening when a court has not taken action to eliminate a conservatee's right to vote revokes a fundamental American right and violates the NVRA.

What should my agency do if the conservator claims the right to vote has been revoked by a court but agency staff cannot confirm?

Offer voter registration to the client. If you do not offer voter registration, you risk inadvertently taking away the fundamental right to vote and violating the NVRA. If a court *has in fact* revoked the right to vote, the county elections office will discover this and reject the voter registration application.

What if a client cannot sign the voter registration card?

Being able to write is not a requirement to register to vote or to vote. If a client is unable to sign the voter registration card, he or she can make a mark instead. A witness over 18 years of age must write the registrant's name next to the mark and sign his or her own (the witness's) name next to the mark. The witness will more than likely be your staff member. Alternatively, the registrant may use a signature stamp (see next question below).

Can a client use a signature stamp to sign the voter registration card?

Yes. The client must have previously registered the signature stamp with the county elections office or the Department of Motor Vehicles. If the client has additional questions about using or getting a signature stamp, contact your county elections office.

If a client is comatose or otherwise unable to communicate, should the client be offered voter registration? What should be treated as a response by the client?

A person retains the right to vote and register to vote unless a court expressly takes it away. Unless you know that an individual's right to vote has been revoked by a court, voter registration must be offered, even in the face of sometimes severe challenges. Even though a client may be accompanied by other people who can assist in filling out other forms or answering other questions, the client must answer the voter registration question himself or herself. In those situations, determine if the client is able to communicate in any way and seek an answer that way. If the client has absolutely no ability to communicate, including comatose clients, write "No response" on the voter preference form and keep it on file as you normally would.

When should other individuals with a client who is comatose or otherwise unable to communicate be able to answer the voter registration question for the client?

Never. A person retains the right to vote and register to vote unless a court expressly takes it away. The right to vote and register to vote cannot be transferred to another individual. No person outside of elections office staff (including a parent, spouse or conservator) has the right to decide whether another person should or should not vote. In California, we address the issue of minor child clients in this way: If a client is a minor child under 15 years of age, voter registration is offered to the adult applying for benefits or services on behalf of that child. An adult client should never be treated the same way, including in the presence of a severe communication challenge. If an individual has absolutely no ability to communicate, including when the client is comatose, do not offer voter registration to someone else. Write "No response" on the voter preference form and keep it on file as you normally would.

Serving Clients Under the Age of 18

For clients who are minors, do we issue the voter preference form and voter registration card to the client even though they are not eligible to vote? Do we offer voter registration to family members instead? Under a recent change in the law, minors 16 and 17 years old can pre-register to vote. Offer voter registration to the client if he or she is between the ages of 16 and 17 years old. They will automatically become registered to vote on their 18th birthday.

If the client is 15 years old or younger, offer voter registration to the adult applying on behalf of the minor client.

When we ask a parent to complete a voter preference form (because they are submitting an intake application for a child 15 years old or younger), is it acceptable to include the child's name on the form so that we can trace it back to the consumer? If so, can we include a box on the form so the parent knows to fill in the child's name?

Yes.

If the client is a child 15 years old or younger and is accompanied by multiple adults, how many of the adults need to be offered voter registration?

Voter registration should be offered to the adult who is *applying on behalf of* a child client. That can be understood as the adult filling out the forms for the child. If other adults accompanying the child also wish to register to vote and you have voter registration cards available, please provide them with voter registration cards.

If the client is a child 15 years old or younger and accompanied by an employee from another agency, does that employee get offered voter registration?

No. Voter registration can be skipped in this situation.

III. REMOTE TRANSACTIONS

Sometimes an application, recertification/renewal, or a change of address happens by phone or by mail. Does our staff still have to offer voter registration?

Yes. The NVRA applies to remote transactions. Voter registration must be offered whether the triggering transaction occurs in person, by phone, by mail, or online.

If one of the triggering transactions happens over the phone, does our staff offer voter registration when the client next comes into the office?

It could be many months before the client next comes into the office, meaning he or she could miss the opportunity to vote in an election. Ask the client if he or she would like to register to vote. Record the answer on a voter preference form and keep it on file. If the client says yes, send a voter registration card to the client's mailing address.

If one of the triggering transactions happens by mail, does our staff wait to offer voter registration when the client next comes into the office?

No. Mail a voter preference form and voter registration card to the client. You may add the voter preference form and voter registration card to other forms you are already planning on mailing to the client.

My agency offers online customer services, including applications. Is that covered by the NVRA?

Yes. If an application, recertification/renewal, or change of name or address happens through an online system, that system must be capable of asking users if they would like to register to vote. If a person says yes, the person should be linked to the Secretary of State's online voter registration website at RegisterToVote.ca.gov. If your agency is offering services online for the first time, contact the California Secretary of State's NVRA Coordinator.

My agency includes the voter preference form and voter registration card in an intake packet that we ask clients to fill out before they come in for the first time. What do we do if the voter preference form and voter registration card are missing when the client comes in or when we receive paperwork in the mail?

If you know that the application or recertification/renewal was from an intake packet that included a voter preference form and voter registration card, you do not need to provide voter registration services again. Your staff should mark a voter preference form as "No Response" and keep it in the client's file. If you do not know whether that application or

recertification/renewal application included a voter preference form and voter registration card, you must offer or mail those forms to the client.

IV. ELIGIBILITY OF CLIENTS

What should we do if our staff has reason to believe that a client is not eligible to vote?

The NVRA requires that voter registration be offered to all clients. The county elections office staff screens voter registration applications and ensures that only people who are eligible to vote end up on the voter rolls. You should not inquire as to voter eligibility or discourage anyone from registering to vote. Let your client know that you are legally obligated to provide voter registration and explain basic eligibility requirements. You may emphasize the citizenship and residency requirements.

V. GETTING ADDITIONAL HELP

Is it possible to set up a training for our agency?

Yes, the California Secretary of State's office is happy to provide training. A training can take as little as 45 minutes. Typically, you would gather your staff in a conference room with a projector and a staff member from the Secretary of State's office will present a PowerPoint presentation via speakerphone. Alternatively, the Secretary of State team has created a PowerPoint presentation and a 15-minute training video that contains the information your staff needs to know. To watch the PowerPoint and the video, visit www.sos.ca.gov/elections/nvra/training.

Is staff training mandatory?

Yes. Under state law, NVRA agency staff who offer voter registration to the public must be trained annually on their responsibilities.

What are the training specifications? What is the required content and length?

State law simply requires that relevant staff members be trained on their voter registration responsibilities under state and federal law. The Secretary of State's training resources are a good place to start. Please visit www.sos.ca.gov/elections/voter-registration/nvra/training/. Your supervising state agency may also have NVRA training materials.