

## Board of Equalization

### COMPLIANCE POLICY AND PROCEDURES MANUAL

#### **MISCELLANEOUS 295.000**

##### **ASSISTANCE FOR HEARING IMPAIRED TAXPAYERS 295.005**

When helping hearing impaired taxpayers who require American Sign Language assistance, staff should contact the EEO Counselor/Bilingual Coordinator at 916-322-0064 to obtain access to the Bilingual Volunteer List or an ASL interpreter.

##### **IMPLEMENTATION OF NATIONAL VOTER REGISTRATION ACT (MOTOR VOTER BILL) 295.010**

Under the National Voter Registration Act of 1993 (NVRA), certain state and local agencies are required to ask whether their clients are registered to vote. If the clients are not registered, the agencies must offer them the opportunity to register and submit the voter registration form to local election officials. The NVRA requires the participation of agencies issuing driver's licenses (hence, "motor voter"), and of agencies providing public assistance or services to the disabled. The NVRA also allows states to designate other agencies as "voter registration agencies". The effective date of the NVRA is January 1, 1995.

In his executive Order W-98-94 the Governor designated "State Board of Equalization district offices which provide services to the public" as voter registration agencies. The BOE has determined this to include all Sales and Use Tax district and branch offices.

##### **NVRA Requirements**

As a designated voter registration agency, the BOE district offices are required to:

- Provide a BOE-6, National Voter Registration Act (NVRA) Declination Form, or an electronic equivalent if services are provided electronically, to taxpayers who request service or assistance with registration, renewal, or account maintenance. The SOS website also has a voter preference form that may be used and is available in several languages, 01/13 NVRA Voter Preference Form. The BOE has defined electronic services to mean all core processes that allow tax and fee payers to electronically apply for services. The process of electronically filing returns or making payments does not meet the criteria of a request or application for assistance with a core service. The tax or fee payer is not requesting a service; they are only completing a required transaction.
- Provide a mail voter registration application form to sole proprietors who have responded that they would like to register to vote on the BOE-6.
- Provide assistance in completing the BOE-6 and voter registration application forms.
- Transmit completed voter registration to any county registrar of voter's office within 10 days. In California, this is any county registrar of voters, regardless of the county of residence of the client registering.
- Ensure that those who provide the services described in NVRA section 1973gg-5(a)(4)(A) do not: (a) seek to influence an applicant's political preference or party registration; (b) display any political preference or party allegiance; (c) make any statement to an applicant or take any action to discourage the applicant from registering to vote; or (d) make any statement to an applicant or take any action which leads the applicant to believe that a decision to register or not to register has any bearing on the availability of services.
- Ensure that no information relating to a declination to register to vote is used for any purpose other than voter registration. The state shall not disclose information relating to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered. The forms are not public information, and therefore, the BOE may not disclose who has registered to vote through BOE district offices or who has declined to register. All completed BOE-6 declination forms are to be retained by the BOE and not transmitted to the county registrars.

- Maintain confidentiality with respect to the retained completed preference forms for a period of two years. The NVRA requires a voter's decision to register or decline to register and the location where an applicant registers to vote to be kept confidential. Voter preference forms are not public information. The preference forms should be stored in a central, chronological file, as they are subject to audit.

**Core Electronic Services**

All new electronic core services that allow tax and fee payers to electronically apply for service will incorporate the electronic voter preference form as part of their implementation.

**EXHIBIT B**

**NATIONAL VOTER REGISTRATION ACT (NVRA) REPORTING FORM**

Please complete and send this form to your county elections office at the end of each calendar month.

|               |  |  |
|---------------|--|--|
| Agency Name   | STATE BOARD OF EQUALIZATION  |  |
| Local Address | _____  |  |
|               | _____  |  |
| BOE Contact   | _____  |  |
| Phone         | _____  |  |
| Date          | _____  |  |
| Month         | Total Number of Voter<br>Registration Cards Sent to<br>County Elections Office | Total Declination Forms<br>Received*<br><i>(Do not send declination forms to<br/>the county elections office.)</i> |
| _____         | _____  | _____  |

\*Under NVRA requirements, the declination form must be filled out when a person declines to register to vote or when a person chooses to take the voter registration card home to fill out at a later time. Therefore, the total number of declinations reflects only the number of people who declined to register at the agency office.