



Guidance: Conditional Voter Registration

Issuance Date: December 16, 2016

Revision Date: N/A

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On January 1, 2017, Assembly Bill (AB) 1436, the conditional voter registration (CVR) law, goes into effect. CVR allows a person to register to vote between E-14 through the Election Day and to cast a CVR provisional ballot that will only be counted if the conditional voter registration is deemed effective. Registrants may visit a county election official's permanent office through (and including) Election Day to conditionally register to vote, obtain, and cast a CVR provisional ballot. Additionally, on Election Day county election officials may also offer conditional voter registration and voting at satellite offices (a polling place is not considered a satellite office).

The California Association of Clerks and Elections Officials (CACEO) developed a CVR FAQ (frequently asked questions) document providing additional information and highlighting specific scenarios for processing conditional voter registrations and provisional ballots. Please reference the FAQ document for additional information on CVR processing.

CVR Implementation Schedule

The CACEO CVR subcommittee, VoteCal Business Process Committee (BPC), VoteCal project team, and Election Management System (EMS) vendors have collaborated on an implementation plan for CVR. The proposed approach and schedule for implementing CVR occurs over three phases:

- Phase I – January 1, 2017. Phase I includes the minimum requirements to comply with AB 1436.
- Phase II – estimated completion by June 2017. It is anticipated Phase II will include a method of determining ballot adjudication status for other counties and a validation check from the EMS to VoteCal to determine if a CVR provisional ballot should be accepted.
- Phase III – estimated completion by December 2017. It is anticipated that Phase III will include:
 - A validation check to VoteCal to determine if a ballot has been issued/accepted for a voter.
 - Preventing a ballot from being issued should a ballot already been issued/accepted for a voter.
 - Modifying the EMSs to display a message indicating a ballot has been issued/accepted for the voter.

Phase I Implementation

This document provides guidance on Phase I. Additional guidance documents for Phases II and III will be provided closer to their completion dates.

Phase I CVR VoteCal system updates include:

- Addition of a new voting method, "Conditional Voter Registration (CVR)"
- Implementation of standard CVR ballot reject reasons:
 - Voter already voted
 - No voter signature
 - Non-matching signature
 - Ballot missing from envelope
 - Envelope was incomplete and/or illegible



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- Please contact your county for further information
- (Other codes with multiple reasons)
- In Review
- Addition of a new message on the online registration confirmation page of the VoteCal public access website advising voters registering between E-14 and E-0 to visit their local county elections office to obtain a CVR provisional ballot.
- Addition of CVR provisional ballots as a voting method on the Secretary of State's My Voter Status Page
- Addition of CVR provisional ballot status and reasons on the provisional ballot page of the VoteCal public access website.

Phase I CVR EMS changes include:

- Addition of a report that identifies all CVR voters moving in or out of the county during the CVR timeframe. This report provides a list of voters who were registered in one county on E-15; then between E-14 and E-0 they registered and cast a CVR provisional ballot in another county. Counties should generate and provide this list to the polling places as close to the election as possible so CVR provisional ballot voters are crossed off the rosters.
- The ability to send ballot processing status information to VoteCal in near real time (immediately)
- Addition of conditional voter registration voting method for EMS users for ballot status and voter participation
- Immediately store and send to VoteCal accepted and rejected status for CVR provisional ballots
- Immediately store and send to VoteCal reject reasons for rejected CVR provisional ballots
- The ability to view ballot status, for a voter, when conducting a statewide search (DIMS)
- The ability to store ballot status information for a voter, for an election (DFM)

Guidance:

Voters requesting to register and vote beginning E-14 through E-0 can register online and walk into the county elections office or they can complete a hardcopy affidavit and bring it into the county elections office or a designated satellite location. Staff enters/reviews the conditional voter registration and determines if the voter is eligible to receive a CVR provisional ballot. If the registrant is provided with and returns the CVR provisional ballot, the CVR provisional ballot should be entered into VoteCal/EMS immediately upon its return by the voter. If the ballot is returned on Election Day, the CVR provisional ballot should be held and not processed until all counties have posted poll book history.

Before providing a CVR provisional ballot, county staff should perform the following assessment:

	Yes	No
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Is the registrant known to the local EMS?	Advise registrant of current voter status and follow local procedures	Determine if the registrant exists in VoteCal
Is the registrant known to VoteCal?	Perform list maintenance activities as necessary and verify the voter has not already returned a vote-by-mail ballot and/or does not have voter participation history prior to processing a CVR ballot (see chart below)	Provide CVR ballot.

(Review the CVR FAQ for specific scenarios documenting when it is appropriate to provide a CVR provisional ballot)

VoteCal provides an opportunity to prevent the processing of a second ballot by researching the voter’s participation history before processing the ballot. If the research reveals an accepted ballot or voter participation history, for the current election, the ballot being researched should NOT be counted. In other words, the first ballot sent up to VoteCal for a particular voter should count (“First-in wins”).

In order to facilitate accurate and timely processing of CVR provisional ballots, the BPC and the SOS recommend county elections officials:

1. Immediately process and send vote-by-mail (VBM) ballot history to VoteCal
2. Complete processing poll book history on or before E+14

Before processing and accepting a CVR provisional ballot that was cast on Election Day, verify that polling place history for any county the voter was previously registered in has been processed. County elections officials should perform the following assessment prior to processing a CVR provisional ballot:

Assessment	Yes	No
1. Are there any VoteCal messages for the voter? (Potential deceased, felon, or duplicate match or merge voter determine survivor.)	Perform list maintenance activities, when complete go to #2.	Go to #2
2. Is there voter participation history? (a polling place ballot, accepted or counted vote-by-mail ballot, accepted CVR provisional ballot in another county, or	Reject the CVR provisional ballot and identify reason in EMS.	As long as the county has verified there is not polling place history, accept the CVR provisional ballot and identify CVR as the voting method.



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accepted provisional ballot in another county for this election)		
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VoteCal Contact Information

For questions or to report issues contact the SOS VoteCal Help Desk at 888-868-3225 or email VoteCalHelp@sos.ca.gov.