

**County of San Diego, Health and Human Services Agency (HHSA)  
Policy and Procedure Guide**

**National Voter Registration Act (NVRA)**

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**Revision Date:**

5/01/2019

**Background:**

The National Voter Registration Act (NVRA) is a federal law that requires states to provide voter registration opportunities at all offices that provide public assistance and all offices that provide state-funded programs and services to persons with disabilities. Effective January 2018, the Secretary of State (SOS) informed agencies of the new (3) three calendar day timeframe for the County to submit Voter Registration Cards (VRCs) to the Registrar of Voters (ROV). Also, NVRA now requires that the County provide all eligible 16 and 17-year-old customers with a (VRC) at the time of application, recertification, or when the County Welfare Department (CWD) is notified of an address change. ACL No. 18-39E clarifies that at least one VRC and Voter Preference Form is required to be provided per application, recertification or address change notification. It specifies that the County is not required to provide a VRC and Voter Preference Form for each member of the household, but include information about how to obtain additional VRCs and Preference Forms.

**Purpose:**

Failure to comply with the NVRA may subject the county and state to a civil action by the U.S. Department of Justice or a private party.

With the passage of Senate Bill (SB) 35, several provisions of the NVRA became codified in state law and additional requirements were placed on voter registration agencies (i.e., public assistance offices), county elections office and the Secretary of State (SOS).

Under SB 35, the SOS has the authority to conduct a NVRA compliance review of any voter registration agency.

**Policy:**

**NVRA and SB35 Requirements:**

The NVRA requires public assistance offices to take the following actions at initial application, redetermination/recertification/renewal (RRR), changes of address and when changing their name:

- Provide a Voter Registration Card (VRC)
- Provide a NVRA Voter Preference Form (16-64 HHSA)
- Provide assistance in completing these forms, if requested
- Accept and forward completed VRC's to the County of San Diego Registrar of Voters (ROV) within 3 days
  - Pre-registration is available to California youth who are 16 or 17 years old and meet the following criteria:
    - A United States citizen,
    - A resident of California,
    - Not currently imprisoned or on parole for the conviction of a felony, and
    - Not prohibited from voting by a court because of mental incompetency
- Obtain VRC's from the ROV to ensure proper tracking

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- Provide the same degree of assistance to all voter applicants, including individuals with disabilities when completing the VRCs as offered when completing the Agency's own eligibility forms
- Inform customers that eligibility to benefits is not linked in any way to their decision to register to vote or not
- Ensure that staff do not seek to influence the individual's decision to register to vote or not or their political party preference
- If a customer does not complete the NVRA Voter Preference Form (16-64 HHS), the HSS will complete the individual's name and current date on the 16-64 HHS and may leave the check boxes unchecked when submitting the form for document capture
- Retain all NVRA Voter Preference Forms (16-64 HHS), via document capture, for 24 months
- Provide annual staff training on the NVRA requirements and how to assist customers with voter registration.

### SB 35 Requirements:

In addition to the above requirements, SB 35 requires public assistance office to do the following:

- Notify the ROV of each applicable public assistance office or site within the county
- Designate staff to be responsible for the Agency's compliance with SB 35 and the NVRA requirements
- Ensure NVRA Voter Preference forms (16-64 HHS) and the VRC's are available at all sites in all languages required under the Federal Voting Rights Act
- Offer an on-line NVRA Voter Preference Form [via MyBenefits CalWIN](#) and inform on-line customers of the option to register to vote or fill out and print a voter registration form via the [California Online Voter Registration](#) (COVR) website administered by the SOS.

**Note:** All voter registration services are required to be provided regardless if the transaction with the customer is in person, through the internet/email, over the phone or by mail.

### Procedure:

For operational procedures, see instructions provided in the [National Voter Registration Act \(NVRA\) Processing Guide](#).

### Programs Affected:

CalWORKS  
CalFresh  
Medi-Cal  
General Relief  
CAPI

### References:

[MyBenefits CalWIN](#)  
[California Online Voter Registration](#)  
[National Voter Registration Act \(NVRA\) Processing Guide](#)  
[All County Letter \(ACL\) No. 18-39E](#)

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