Georgia Secretary of State

ELECTIONS DIVISION

Implementing NVRA

Department of Human Services (DHS)

v.1 2011

Georgia Secretary of State
Elections Division

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ELECTION CONNECTION
www.sos.ga.gov/electionconnection

PREFACE

Implementing NVRA in Department of Human Services is to be used as a guide for the administration of voter registration conducted by Georgia Agencies under the National Voter Registration Act of 1993 (NVRA).

This manual is not intended to be used as a substitute for the Georgia Constitution, relevant statutes, or applicable case law. Whenever there is a question regarding the interpretation of information contained in this guide, or of a particular section of the Election Code, or any other statute, the user should contact competent legal counsel or the Office of the Secretary of State, Elections Division.

GEORGIA SECRETARY OF STATE

CONTENTS

Introduction to NVRA 1
Background 1
Role of the Secretary of State's Office 1

Voter Registration in Georgia 2
To be eligible to register to vote, a person must: 2
Register to vote at the following Georgia locations: 2

Registering to Vote at a Designated Agency 3
The Registration Paperwork 3
Submitting Applications to the Secretary of State 4

Agency Paperwork 4
Declaration Statements (Appendix B) 4
Daily Recaps (Appendix C) 4
Ordering Materials 4

Conversations with Applicants 5

Handling Questions 5

Getting Help 7
Election Connection 7
www.sos.ga.gov/electionconnection/ 7

Appendix A 8
Appendix B 9
Appendix C 10

Introduction to NVRA

Background

In 1993, Congress passed the National Voter Registration Act ("NVRA"). In 1994, Georgia passed legislation to implement the NVRA, which became effective January 1, 1995. The purpose of the NVRA includes increasing the number of eligible citizens who register to vote in elections for federal office, enhancing the participation of eligible United States citizens in Federal elections, and protecting the integrity of the electoral process.

In addition to other methods of voter registration provided by State law, the NVRA requires states to establish procedures for voter registration by:

- Mail registration
- Application made simultaneously with an application for a motor vehicle driver's license
- Application in person at designated offices where persons apply for public assistance or which administer programs for the disabled
- Application in person at county and municipal registrar offices
- Application at public libraries
- Application at recruitment offices of the Armed Forces

Role of the Secretary of State's Office

The NVRA requires that each state designate a chief election official to be responsible for coordination of the state responsibilities under this act. The Secretary of State has been named the chief election official for the State of Georgia.

Under state law, the Secretary of State is charged with establishing and maintaining a statewide voter registration system. The system must be capable of meeting federal requirements for maintaining lists of both eligible active voters and inactive voters. The Secretary of State is responsible for overseeing statewide list maintenance activities and functions required under federal and state laws. These relate to updating voter information and removing ineligible persons from the voter lists.

Voter Registration in Georgia

To be eligible to register to vote, a person must:

- Be a citizen of the United States and a legal resident of Georgia
- Be at least 17 1/2 years of age (at least 18 years of age to vote).
- Not be serving a sentence for a conviction of a felony involving moral turpitude
- Not have been judicially declared to be mentally incompetent

Register to vote at the following Georgia locations:

- County and municipal registrar's office and other fixed voter registration sites
- Driver's license branch office (Department of Driver Services)
- Public Assistance offices which offer the following:
    - Food Stamp program
    - Medicaid program
    - Women, Infants, and Children (WIC) program
    - Aid to families with Dependent Children program
- Public Libraries
- Department of Labor – Rehabilitation and other offices which provide state-funded programs primarily engaged in providing services to persons with disabilities
- Recruitment offices of the Armed Forces

Registering to Vote at a Designated Agency

Under the NVRA, states are required to establish procedures to register to vote in elections for Federal office by application in person at offices of designated agencies. Federal and state laws provide that an individual must be be offered the opportunity to register to vote each time he or she makes an application in person for the agency's services or with each recertification, renewal, or change of address form relating to such service.

DHS agency personnel are required to:

- Distribute a Georgia Voter Registration Application and a Declaration Statement to each applicant or recipient of public assistance at the time applications for public assistance or forms for recertification, renewal, or change of address are distributed to that applicant or recipient of public assistance.

- Assist applicants and recipients of public assistance in completing the voter registration application when assistance is requested. Provide the same degree of assistance to each applicant in completing the voter registration application as the agency provides to an applicant in completing its own forms. All applicants MUST sign his or her name, or make his or her mark on the application signature line in order for the application to be processed.

  ** Anyone who provides assistance to an illiterate or disabled applicant by completing any written portion of the application on the applicant's behalf MUST also sign the voter registration application in the space provided to identify the person offering assistance.

- Accept completed voter registration applications and mail them to the Secretary of State's Office.

The Registration Paperwork

Two registration forms are distributed with each DHS application for public assistance or recertification, renewal, or change of address form:

1. Georgia Voter Registration Application (Appendix "A")

   This is an official application used to determine voter eligibility. Forms should be completed as accurately as possible to ensure timely processing. The agency is responsible only for making sure that the application is complete. The agency is not responsible for making sure that the information is correct.

2. Declaration Statement (Appendix "B")

   This form documents that the applicant was offered an opportunity to register to vote when applying for, renewing, or updating services. These forms must be kept on file by the agency for a period of not less than twenty-four (24) months.

Submitting Applications to the Secretary of State

To ensure timely processing of applications, completed voter registration applications must be mailed to the Secretary of State's Office as follows:

AGENCIES ARE REQUIRED TO MAIL ANY COMPLETED VOTER REGISTRATION APPLICATIONS WEEKLY. THE EXCEPTION TO THIS RULE IS DURING THE 15 DAYS PRIOR TO ANY REGISTRATION DEADLINE WHEN SUBMITTAL OF ANY COMPLETED APPLICATIONS TO THE SECRETARY OF STATE ELECTIONS OFFICE MUST BE MADE DAILY.

Election calendars can be found at: www.sos.ga.gov/electionconnection/

Note: If you do not have any completed applications, you do not need to submit anything to the Secretary of State's Office.

Mail the applications in the pre-paid envelope provided by the Secretary of State's Office. You may either include a duplicate copy of the daily recap sheet with your submittal or you may complete the agency submittal information in the designated area on the outside of the envelope.

Agency Paperwork

Declaration Statements (Appendix B)

You must keep declaration statements for at least twenty-four (24) months. Keep a monthly file. Use this file exclusively for declaration statements. Do not keep these declaration statements in client files.

The Secretary of State's Office recommends setting up a file containing 25 folders. Create one folder for each of the 24 months. At the end of the 25th month, destroy the contents of the first folder and create a new folder for the next month.

Daily Recaps (Appendix C)

Each agency shall maintain statistical records on the number of registrations and declinations. A Daily Recap Form may be used for this purpose and is available for download at Election Connection at www.sos.ga.gov/electionconnection/.

Ordering Materials

You should keep a two-week supply of applications, envelopes, and forms. Supplies can be ordered and/or downloaded from the Secretary of State agency portal at: www.sos.ga.gov/electionconnection.

Conversations with Applicants

Conversations with applicants should be handled with sensitivity. When a agency offers applicants the opportunity to register to vote, agency personnel **MUST NOT**:

- Try to influence an applicant's political preference or party affiliation.
- Display any political preference or party allegiance.
- Make any statement or take any action which would discourage an applicant from registering to vote.
- Make any statement or take any action which would lead an applicant to believe that registering to vote has any bearing on receiving services from the agency.

Handling Questions

Agency representatives and applicants will have questions about this process. Typical questions are listed below.

Q: What are the requirements for being able to register to vote?
A: The requirements are listed on the voter registration application. To register to vote, a person must:

- Be a citizen of the United States and a legal resident of Georgia.
- Be at least 17 1/2 years of age (at least 18 years of age to vote).
- Not be serving a sentence for a conviction of a felony involving moral turpitude.
- Have not been found mentally incompetent by a judge.

Q: What if the applicant wants to take the application and mail it later?
A: The applicant may take the application, complete it, and mail it later. This counts as a declination for record keeping purposes.

Q: What if the applicant refuses to provide responses to any of the questions on the voter registration application?
A: Continue processing the application. The county registrar will obtain missing information later.

Q: What if an applicant wants an application for a spouse or family member who is not at the agency, or is not requesting agency's services?
A: Give the applicant a voter registration application to give to the individual.

Q: What if an applicant asks questions about election dates or polling locations?
A: Refer the applicant to the telephone number listed on the application.

Q: Does an applicant have to register to vote again when he or she moves?
A: Yes. When a person moves to another county, he or she must register in the new county at least 30 days before an election to be eligible to vote.

If a person moves within the same county, he or she must complete a change of address notification. Persons can use the voter registration application form, or they can send in their current precinct card with the changes. In any case, a person must change his or her address at least 30 days before an election for the change to be effective for that particular election.

Q: What if an applicant wants to register at an address other than his residence?
A: The applicant must register using his or her residence address; the mailing address can be different.

Q: What if an applicant is moving in a few weeks and wants to register using the new address?
A: The applicant must register using his or her current address. After the applicant moves, he or she can complete the "change of address" portion on a voter registration application and submit it to the county registrar.

Q: What if an applicant is not sure he or she is eligible to register to vote?
A: Refer the applicant to the telephone number listed on the application.

Q: What if an applicant is homeless and does not have a residence address?
A: The applicant should use the physical address which he or she considers his or her home (for example, 1-20 West under bridge at exit 142). The mailing address should be wherever the applicant could pick up mail (for example, a homeless shelter or friend's home). The applicant should also include a drawing of where he or she resides with the application.

Q: Will an applicant have to re-register each year?
A: No. If a person is already registered, it is not necessary to register again unless he or she moves or has a change of name.

Q: Why does an applicant have to provide a driver's license number or the last 4 digits of their Social Security number?
A: These numbers are used to distinguish between voters with similar names and to cross reference voters with identifying information.

Q: If an applicant registers to vote, will the voter registration list be used for other purposes?
A: Yes. However, Social Security number, date of birth, driver's license number, and the location where a person registers to vote are confidential. The remaining voter registration information kept on file with the registrars is public record. Voter registration lists may be used to compile lists of registered voters for use by persons seeking political office, or to check that persons signing petitions are registered voters. Some counties use the voter registration list as one of their sources for compiling a jury list. Voter registration lists may not be used by any person for commercial purposes.

Getting Help

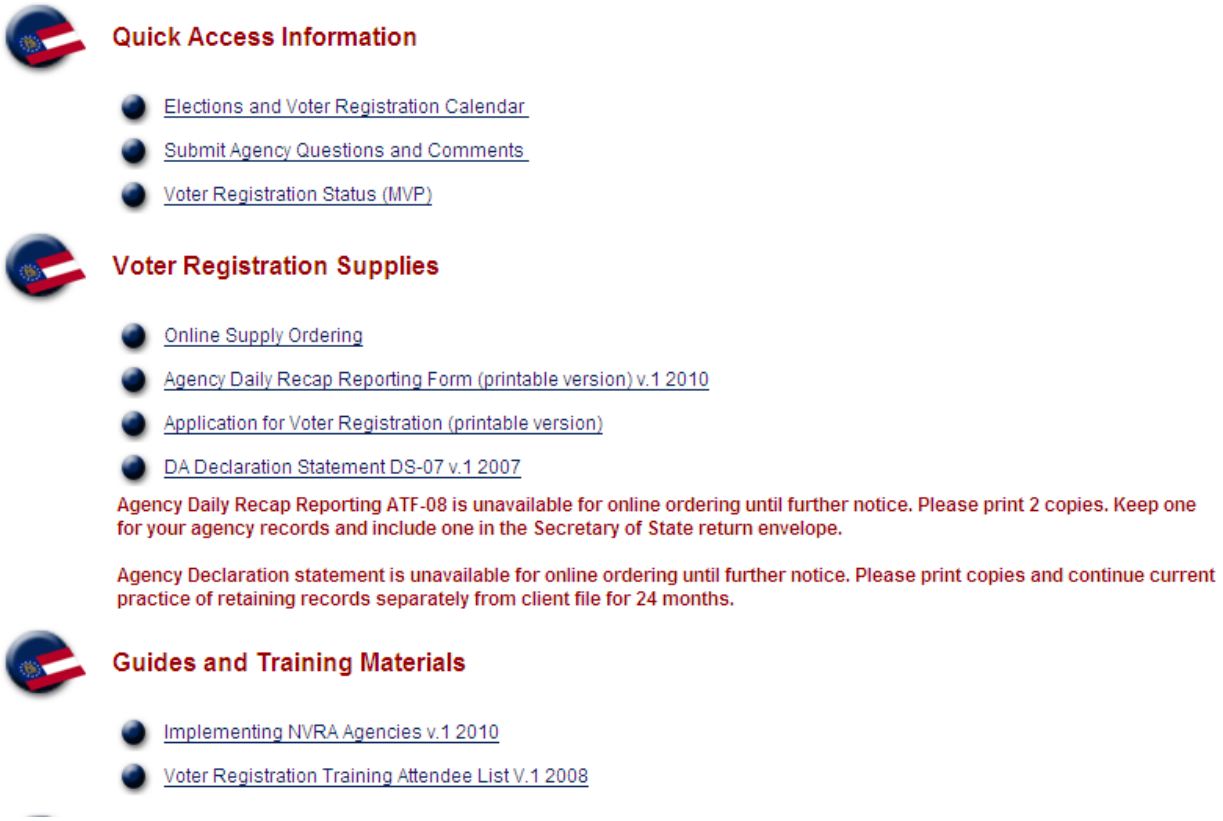
The Secretary of State's Office is available to provide support and assistance.

Please contact us at:

Secretary of State Elections Division
2 Martin Luther King Jr. Dr.
Suite 802 West Tower
Atlanta, Georgia 30334
Phone: (404) 656-2871
Email: gaelections@sos.ga.gov

Election Connection

www.sos.ga.gov/electionconnection/



Quick Access Information

- Elections and Voter Registration Calendar
- Submit Agency Questions and Comments
- Voter Registration Status (MVP)

Voter Registration Supplies

- Online Supply Ordering
- Agency Daily Recap Reporting Form (printable version) v.1 2010
- Application for Voter Registration (printable version)
- DA Declaration Statement DS-07 v.1 2007

Agency Daily Recap Reporting ATF-08 is unavailable for online ordering until further notice. Please print 2 copies. Keep one for your agency records and include one in the Secretary of State return envelope.

Agency Declaration statement is unavailable for online ordering until further notice. Please print copies and continue current practice of retaining records separately from client file for 24 months.

Guides and Training Materials

- Implementing NVRA Agencies v.1 2010
- Voter Registration Training Attendee List V.1 2008

COMPLETING A VOTER REGISTRATION APPLICATION

Appendix A

1 In order for an applicant to be properly placed in the correct district for voting, it is important that sections 1, 2 and 4 are completed.

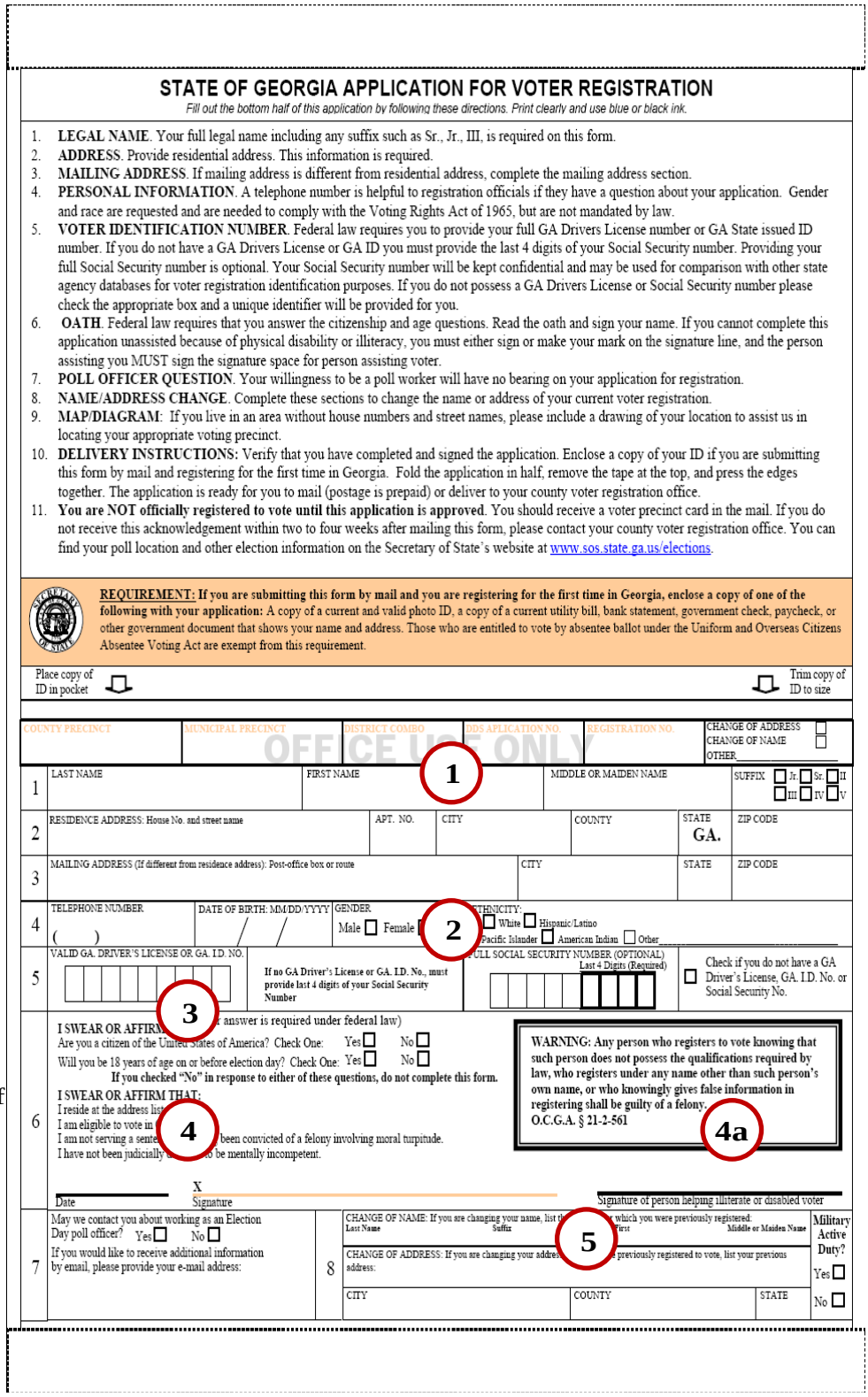
2 For verification purposes, a Valid Georgia driver's license or Georgia ID number must be entered in this section if the voter has been issued one. If the applicant does not have either, the applicant must provide at least the last 4 digits of their Social Security number.

3 If an applicant checks the "no" box on either questions, then the voter registration process stops at that moment. The applicant cannot register to vote. O.C.G.A. § 21-2-561

4 Please make sure that applicants date and sign the application. This date will be their voter registration date once entered into the voter registration system. If the application is not signed and dated, this application will be rejected by the county registrar.

4a Anyone who provides assistance to an illiterate or disabled applicant by completing any portion of this application on the applicant's behalf MUST sign in this section.

5 If an applicant was previously registered to vote in the State of Georgia and has a name change or a change of address, it is very important that the applicant completes this section.



STATE OF GEORGIA APPLICATION FOR VOTER REGISTRATION

Fill out the bottom half of this application by following these directions. Print clearly and use blue or black ink.

1. **LEGAL NAME**. Your full legal name including any suffix such as Sr., Jr., III, is required on this form.
2. **ADDRESS**. Provide residential address. This information is required.
3. **MAILING ADDRESS**. If mailing address is different from residential address, complete the mailing address section.
4. **PERSONAL INFORMATION**. A telephone number is helpful to registration officials if they have a question about your application. Gender and race are requested and are needed to comply with the Voting Rights Act of 1965, but are not mandated by law.
5. **VOTER IDENTIFICATION NUMBER**. Federal law requires you to provide your full GA Drivers License number or GA State issued ID number. If you do not have a GA Drivers License or GA ID you must provide the last 4 digits of your Social Security number. Providing your full Social Security number is optional. Your Social Security number will be kept confidential and may be used for comparison with other state agency databases for voter registration identification purposes. If you do not possess a GA Drivers License or Social Security number please check the appropriate box and a unique identifier will be provided for you.
6. **OATH**. Federal law requires that you answer the citizenship and age questions. Read the oath and sign your name. If you cannot complete this application unassisted because of physical disability or illiteracy, you must either sign or make your mark on the signature line, and the person assisting you MUST sign the signature space for person assisting voter.
7. **POLL OFFICER QUESTION**. Your willingness to be a poll worker will have no bearing on your application for registration.
8. **NAME/ADDRESS CHANGE**. Complete these sections to change the name or address of your current voter registration.
9. **MAP/DIAGRAM**: If you live in an area without house numbers and street names, please include a drawing of your location to assist us in locating your appropriate voting precinct.
10. **DELIVERY INSTRUCTIONS:** Verify that you have completed and signed the application. Enclose a copy of your ID if you are submitting this form by mail and registering for the first time in Georgia. Fold the application in half, remove the tape at the top, and press the edges together. The application is ready for you to mail (postage is prepaid) or deliver to your county voter registration office.
11. **You are NOT officially registered to vote until this application is approved**. You should receive a voter precinct card in the mail. If you do not receive this acknowledgement within two to four weeks after mailing this form, please contact your county voter registration office. You can find your poll location and other election information on the Secretary of State's website at www.sos.state.ga.us/elections.

REQUIREMENT: If you are submitting this form by mail and you are registering for the first time in Georgia, enclose a copy of one of the following with your application: A copy of a current and valid photo ID, a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address. Those who are entitled to vote by absentee ballot under the Uniform and Overseas Citizens Absentee Voting Act are exempt from this requirement.

Place copy of ID in pocket — Trim copy of ID to size

COUNTY PRECINCT | MUNICIPAL PRECINCT | DISTRICT COMBO | DDS APLICATION NO. | REGISTRATION NO. | CHANGE OF ADDRESS ☐ CHANGE OF NAME ☐ OTHER_____

OFFICE USE ONLY

1 — LAST NAME | FIRST NAME | MIDDLE OR MAIDEN NAME | SUFFIX ☐ Jr. ☐ Sr. ☐ II ☐ III ☐ IV ☐ V

2 — RESIDENCE ADDRESS: House No. and street name | APT. NO. | CITY | COUNTY | STATE GA. | ZIP CODE

3 — MAILING ADDRESS (If different from residence address): Post-office box or route | CITY | STATE | ZIP CODE

4 — TELEPHONE NUMBER ( ) | DATE OF BIRTH: MM/DD/YYYY / / | GENDER Male ☐ Female ☐ | ETHNICITY: ☐ White ☐ Hispanic/Latino ☐ Pacific Islander ☐ American Indian ☐ Other_____

2

5 — VALID GA. DRIVER'S LICENSE OR GA. I.D. NO. | If no GA Driver's License or GA. I.D. No., must provide last 4 digits of your Social Security Number | FULL SOCIAL SECURITY NUMBER (OPTIONAL) Last 4 Digits (Required) | ☐ Check if you do not have a GA Driver's License, GA. I.D. No. or Social Security No.

3

6 — I SWEAR OR AFFIRM ([illegible] answer is required under federal law)
Are you a citizen of the United States of America? Check One: Yes ☐ No ☐
Will you be 18 years of age on or before election day? Check One: Yes ☐ No ☐
If you checked "No" in response to either of these questions, do not complete this form.
I SWEAR OR AFFIRM THAT:
I reside at the address list[illegible]
I am eligible to vote in [illegible]
I am not serving a sente[illegible] been convicted of a felony involving moral turpitude.
I have not been judicially [illegible] to be mentally incompetent.

4

WARNING: Any person who registers to vote knowing that such person does not possess the qualifications required by law, who registers under any name other than such person's own name, or who knowingly gives false information in registering shall be guilty of a felony.
O.C.G.A. § 21-2-561

4a

Date | X Signature | Signature of person helping illiterate or disabled voter

7 — May we contact you about working as an Election Day poll officer? Yes ☐ No ☐
If you would like to receive additional information by email, please provide your e-mail address:

8 — CHANGE OF NAME: If you are changing your name, list the [illegible] which you were previously registered: Last Name | Suffix | First | Middle or Maiden Name
CHANGE OF ADDRESS: If you are changing your addres[illegible] previously registered to vote, list your previous address:
CITY | COUNTY | STATE

5

Military Active Duty? Yes ☐ No ☐

Appendix B
DECLARATION STATEMENT

STATE OF GEORGIA

VOTER REGISTRATION
DECLARATION STATEMENT

Name: _____ Date: _____

Important Notice: *Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.*

If you are not registered to vote where you live now, would you like to apply to register to vote here today?

☐ I would like to register to vote

☐ I am presently registered to vote

☐ I do not want to register to vote

IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the voter registration application in private.

If you believe that someone has interfered with your right to register or to decline to register to vote or your right in privacy in deciding whether to register or in applying to register to vote, you may file a complaint with the Secretary of State at 2 Martin Luther King Jr. Dr., Suite 802 West Tower, Atlanta, Georgia 30334 or by calling 404 656-2871.

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STATE OF GEORGIA

VOTER REGISTRATION
DECLARATION STATEMENT

Name: _____ Date: _____

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Appendix C

AGENCY RECAP FORM

FROM: AGENCY: _____

ADDRESS: _____
Street City Zip

_____
AGENCY CONTACT **AREA CODE/ TELEPHONE NUMBER**

_____
AGENCY CONTACT EMAIL

DATE	NUMBER OF DECLINATIONS TODAY	NUMBER OF COMPLETED VOTER REGISTRATION APPLICATIONS

V.1 2010

AGENCY RECAP FORM

FROM: AGENCY: _____

ADDRESS: _____
Street City Zip

_____
AGENCY CONTACT **AREA CODE/ TELEPHONE NUMBER**

_____
AGENCY CONTACT EMAIL

DATE	NUMBER OF DECLINATIONS TODAY	NUMBER OF COMPLETED VOTER REGISTRATION APPLICATIONS

V.1 2010