

COMMONWEALTH OF VIRGINIA



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

National Voter Registration Act (NVRA) Designated State Agency Training & Reference Manual

Rev. 06/26

Introduction

THE PURPOSE OF THE ACT

The purpose of the [National Voter Registration Act](#) (NVRA) (52 U.S.C. §20501 et. seq.) is to increase the number of citizens registered to vote and to establish safeguards that ensure a citizen's right to vote. The NVRA is designed to increase the number of Americans registered to vote by requiring many public agencies to provide registration opportunities to their clients in conjunction with other services.

DEFINITION OF DESIGNATED STATE AGENCIES

In addition to the Department of Motor Vehicles, the National Voter Registration Act of 1993 requires that individuals be given the opportunity to register to vote (or to change their voter registration data) in elections for federal and/or state office when applying for (or receiving) services or assistance from certain other state agencies designated by statute.

In the Commonwealth of Virginia, the following agencies have been designated as voter registration agencies pursuant to §24.2-411.2:

- Agencies whose primary function is to provide public assistance, including agencies that provide benefits under the Temporary Assistance for Needy Families program; Special Supplemental Food Program for Women, Infants, and Children; Medicaid program; or Food Stamps program;
- Agencies whose primary function is to provide state-funded programs primarily engaged in providing services to persons with disabilities;
- Armed Forces recruitment offices; and
- The regional offices of the Department of Wildlife Resources and the Virginia Department of Workforce Development and Advancement.

WHEN TO PROVIDE CLIENTS AN OPPORTUNITY TO REGISTER

Individuals must be provided this opportunity not only at the time of their original application for services, but also when filing any recertification, re-admission, renewal, or change of name or address form relating to such services, pursuant to 52 U.S.C. §20506(a)(6)(A).

You must provide the clients at your agency with the same level of assistance, including bilingual services where necessary, in completing a voter registration and/or certification form as you provide in completing your own forms, unless the client refuses such assistance.

INFLUENCING THE PREFERENCE OF AN INDIVIDUAL

The person who provides such services as stated previously in the agency is prohibited from:

- seeking to influence an applicant's party preference,
- displaying any such political or candidate preference or party allegiance,
- making any statement or taking any action whose purpose or effect is to discourage the applicant from registering to vote,

- making any statement or taking any action, whose purpose or effect is to lead the applicant to believe that a decision whether or not to register has any bearing on the availability of services or benefits, or
- Disclosing any part of a client's social security number except as authorized by law for official use.

An applicant may submit any alleged violations of the provisions above in writing to ELECT for resolution. An applicant may also file a complaint with the local Commonwealth's Attorney if they feel an election law offense was committed.

VOTER CONFIDENTIALITY

No information regarding a person's declination to register may be used for any purpose other than voter registration, pursuant to 52 U.S.C. §20506(a)(7).

Similarly, if an individual does register to vote, the particular agency at which the client submits a voter registration application may not be publicly disclosed, pursuant to 52 U.S.C. §§ 20507(a)(6) and 8(i)(1).

The application cannot be copied or used for any purpose other than voter registration in the Commonwealth of Virginia.

WHO MAY REGISTER?

To be eligible to vote in Virginia, a person:

- Must be a citizen of the United States.
- Must live in the Commonwealth of Virginia.
 - A person who has come to Virginia for temporary purposes and intends to return to another state is not considered a resident for voting purposes.
- Must be at least 18 years old by the date of the next general election (applicants who will be age 18 by the November election may be eligible to vote in primary and special elections, depending on the local election schedule).
- Must not claim the right to vote in another state.
- Must not have been judged by a court to lack the capacity to understand the act of voting.
- If convicted of a felony, be convicted of an offense that is not a felony recognized at common law in 1870. The list of applicable common law felonies can be found on ELECT's website (<https://www.elections.virginia.gov/registration/felony-convictions-and-voter-eligibility/>).
- If convicted of a felony recognized at common law in 1870, must have their right to vote restored.
- Must not be currently physically incarcerated for a felony offense.

WHEN SHOULD VOTER REGISTRATION BE OFFERED?

When a client applies for services, renews services, or updates records through your agency, they should be offered the opportunity to register to vote. The agency should also provide the opportunity to register to vote even during online transactions or services by either providing an electronic version of the voter registration application or providing a voter registration application via mail.

WHAT IS THE DEADLINE TO REGISTER?

The voter registration application form must be received by either the local voter registration office or ELECT no later than 11 days before the general or primary election in order for an applicant to vote a regular ballot in that election (shorter deadlines apply to special elections). Applications received after the deadline will still be processed at a later date and treated as an application to register to vote for subsequent elections.

SHOULD SOMEONE ALREADY REGISTERED COMPLETE A NEW APPLICATION?

Anytime someone's name and/or address changes, a client should submit a new registration application. If a client is unsure that he/she is registered, the individual should fill out a new application form.

HOW WILL A PERSON KNOW IF THE REGISTRATION WAS ACCEPTED?

Once the local registrar has determined (through the information provided on the application) that an individual is eligible to vote, a voter registration notice will be mailed to the individual at the address on the application. A voter may also check the status of their registration through [Citizen Portal](https://vote.elections.virginia.gov/VoterInformation) on ELECT's website (<https://vote.elections.virginia.gov/VoterInformation>).

WHERE TO DIRECT QUESTIONS?

To request more applications and envelopes, please submit the [Designated State Agency Order Form](#).

Questions concerning applications, election dates, NVRA rules and regulations:

Phone: (804) 593-2274 or email info@elections.virginia.gov.

Certification

The following form is used by the agencies as part of the agency voter registration process that certifies the agency has provided an individual the opportunity to register to vote. The questions and statements included in this form are statutorily required, pursuant to [§24.2-411.2\(D\)\(2\)](#) of the Code of Virginia. An individual may decline to register by not checking the boxes on the form, failing to sign the form, or selecting "No, I do not want to register to vote."

Instead of providing a separate certification form, an agency may choose to incorporate the questions listed in the certification directly into an application or form already in use by the agency. The following instructions would still apply if an agency selected this option. The questions and statements should mirror the form to be compliant with §24.2-411.2(D)(2).

DOCUMENTS TO REGISTER OR DECLINE

Those who accept or decline to register to vote must do so by either completing the Commonwealth of Virginia Voter Registration Agency Certification form or answering the

question found in the certification form that may be included as part of a form or application used by the agency.

A copy of this form is provided below and can also be found on ELECT's website, [State-designated Voter Registration](#). This form is to be kept in the client's file or other designated place, so other agency personnel will know that an individual has been offered the opportunity to register.

Note: Do not mail certification forms to ELECT. Keep as part of the records of the agency.

CERTIFICATION FORM

		
Commonwealth of Virginia		
Voter Registration Agency Certification		
If you are not registered to vote where you live now, would you like to apply to register to vote here today? (Please check only one)		
☐ I am already registered to vote at my current address, or I am not eligible to register to vote and do not need an application to register to vote.		
☐ Yes, I would like to apply to register to vote. (please fill out the voter registration application form)		
☐ No, 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. Applying to register to vote or declining to register to vote will not affect the assistance or services that you will be provided by this agency.		
If you decline to register to vote, this fact will remain confidential. If you do register to vote, the office where your application was submitted will be kept confidential, and it will be used only for voter registration purposes.		
If you would like help 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 application form in private if you desire.		
If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, you may file a complaint with:		
Commissioner, Virginia Department of Elections Washington Building 1100 Bank Street Richmond, VA 23219-3497 (804) 864-8901		
_____ Applicant Name	_____ Signature	_____ Date
for agency use only		
Voter Registration form completed: ☐ Yes ☐ No		
Voter Registration form given to applicant for later mailing (at applicant's request): ☐ Yes ☐ No		
_____ Agency Staff Signature	_____ Date	
SBE 032-03-945 07/14		

COMPLETION OF THE FORM BY APPLICANT

1. When someone applies for services, renews services, or updates records through your agency, they should be offered the opportunity to register to vote or change their voter registration information.
2. You must inform all applicants that they should read and understand the statements as follows:
 - If you are not registered to vote where you live now, would you like to apply to register to vote here today?
 - If you do not check any box, you will be considered to have decided not to register to vote at this time. Applying to register to vote or declining to register to vote will not affect the assistance or services that you will be provided by this agency.
 - If you decline to register to vote, this fact will remain confidential. If you do register to vote, the office where your application was submitted will remain confidential and may be used only for voter registration purposes.
 - 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 application form in private, if you desire.
 - If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, you may file a complaint with:

Virginia Department of Elections
1100 Bank Street, 1st Floor
Richmond, VA 23219-3497
Telephone: (804) 864-8901

3. Once the applicant has checked one of the three boxes at the top of the form or completed the corresponding portion of the agency's form or application, review the following:

- ✓Has the applicant printed his/her name in the *Applicant Name* space?
- ✓Has the applicant signed the form in the *Signature* space?
- ✓Has the applicant dated the form with today's date in the *Date* space?

4. If any information is missing or not legible, return the form to the applicant for completion or clarification.



If a person does not fill out the form or refuses to sign the form, print the individual's name on the form and place your initials beside the name. **This will be considered a declination to register to vote.**

COMPLETION OF THE FORM BY AGENCY

After the certification form has been filled in correctly, you may accept it and complete the agency portion of the form.

FIRST OR THIRD BLOCK CHECKED:

1. Mark the 'No' box next to the "Voter Registration Form Completed" statement.
2. Sign your name and date the form at the bottom of the page.
3. Place the form in a specified location to be filed at your agency at a later date. **Do not mail certifications to ELECT.**

SECOND BLOCK CHECKED:

1. If the individual wants to register to vote, give the individual a copy of the *Virginia Voter Registration Application* form, providing whatever assistance the individual indicates is needed to complete it. Once completed, mark the 'Yes' box next to the "Voter registration form completed" statement.
2. If the individual requests to take the form to be filled out later, mark the box next to the "Voter registration form given to applicant for later mailing" statement.
3. Sign your name and date the form at the bottom of the page.
4. **Place the certification form in a specified location to be filed at your agency at a later date.**
5. Place the completed Voter Registration application form in a specified location to be mailed to ELECT.

FILING THE CERTIFICATION FORM

The certification form should be kept in the client's file or designated place, so other agency personnel will know that the individual has been offered an opportunity to register. This form should be retained according to the agency's Library of Virginia retention procedures.

If additional blank forms are needed, you may photocopy these forms.

Registration

HANDING OUT VOTER REGISTRATION APPLICATION FORMS

If a client requests to register to vote, a [Virginia Voter Registration Application](#) form must be completed. These forms are then forwarded to ELECT for processing. The applicant can either fill out the form at the agency and have the agency return the application on their behalf or take the form home and mail it or carry it to any local voter registration office, ELECT, or other voter registration site.

COMPLETION OF THE APPLICATION FORM

1. Check that all information has been filled in completely. If a box does not apply to an individual, the word 'none' should be entered or the box indicating 'none' should be marked. Failure to complete the form properly could result in a denial of the application.
2. Check that the client has signed and dated the application.
3. The applicant can mail their completed, signed application to the registrar's office in the county or city where they live. Use the online address lookup tool if you do not know the registrar's address: www.elections.virginia.gov/localGR, or the client may mail the application themselves to:

Virginia Department of Elections
1100 Bank Street, 1st Floor
Richmond, VA 23219
4. No photocopies or other reproductions of the form (e.g., fax) will be accepted.
5. Place the completed application form in a specified location to be forwarded to ELECT. § 24.2-411.2(G) of the Code of Virginia requires the designated agency to send applications to ELECT not later than five business days after receipt.

INSTRUCTIONS TO COMPLETE THE APPLICATION FORM

Body of the Form

The following is a list of the information to be entered followed by a definition of each information block to help answer any questions your client may have:

No.	INFORMATION BLOCK TITLE	DESCRIPTION
1	Are you a citizen of the United States & will you be 18 years of age on or before the November Election?	Check either the “yes” or “no” box to answer this question. If you checked “no” to either question, do not fill out this form unless client will be age 18 by the November Election.
	Social Security Number	Enter the 9-digit number issued by the Social Security office. This information will be held in strict confidence and will only appear on reports produced for Official use by voter registration and election officials, and for jury selection purposes by courts.
	Date Of Birth	If no SSN was issued for the individual then they may check the box below the SSN. Enter the month, day and year of birth
	Gender	Enter client's gender
2	Full Legal Name	Enter last name, circle suffix (if applicable), enter first name, and middle name. Check “none” if no middle name.
	Residence Address	Enter the exact address of residence using house number and street name. If this is a post office box or military address, you must complete Section 4.
	City/Town	Enter the city or town of residence
	Zip Code	Enter the zip code
	Email/Phone	Enter an email and daytime phone number. Recommended but optional.

No.	INFORMATION BLOCK TITLE	DESCRIPTION
3	Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? If yes, has your rights to vote been restored?	Check either the “yes” or “no” box to answer this question. Check either the “yes” or “no” box to answer this question. If an applicant with a felony conviction has not received a formal restoration of rights by the Governor, they should select “no” to this question even if their conviction was for a non-common law felony.
4	Alternate mailing address if certain criteria is met – military, homeless, not serviced by post office, protected voter status	Check appropriate box and provide a proper mailing address – usually a Post Office Box If applicant meets criteria to be a protected voter, they must give an alternate mailing address – must be a post office box located in Virginia.
5	Is the applicant registered to vote in another state? If so, which one?	This is used to contact the other state so that they can cancel the previous registration
6	Officer of Election Interest	Check the box if interested in becoming an election officer. This is optional.
7	Applicant Signature Date	Read the statement before signing the application. Sign the form using full legal name. If the applicant cannot sign because of a disability, the applicant or provider may check the box of affirmation, and the applicant will not have to sign. Power of Attorney cannot be used for Voter Registration Enter today’s date

Bottom of Application	Virginia Voter Registration Application Receipt	This should be completed by the group who is receiving the application from the applicant. If the applicant turns in the application himself, no receipt is required. DSA name and phone number should be clearly printed in the box. This is the official record for the applicant that they have submitted a voter registration application and can be used to confirm submission should something happen to the original application. The receipt has no bearing on the applicant's ability to vote should their name not appear on the pollbook on election day.
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WHERE TO SEND THE COMPLETED APPLICATION FORM

At each participating program location within your agency, one individual should be responsible for collecting all completed applications twice a week and forwarding them to ELECT or to their agency's central distribution point determined by the agency or department representative.

- Review the section entitled "Completion of the Application Form" before forwarding the forms to ELECT. It is important that all requirements are met before the application is released from your agency.

All voter registration application forms must be sent to election officials within five (5) days of receipt. Twice a week, you must complete all of the following steps:

1. Enclose all completed application forms in a pre-addressed, coded envelope, supplied by ELECT.
2. Mark in the preprinted area on the face of the envelope, the number of forms enclosed.
3. Mail the package to ELECT using your agency postage or hand deliver the envelope to your local registrar.

NOTE: Even when you hand-deliver the forms, place them in a pre-coded envelope since the registrar must tally applications by source.

Forms and Supplies

In accordance with NVRA requirements, ELECT will make available State mail registration forms for private and public distribution. The following information provides general instructions on requesting forms relating to the NVRA.

THE VOTER REGISTRATION APPLICATION AND TRANSMITTAL ENVELOPES

ELECT will distribute mail voter registration application forms to the following entities:

- Public Service Agencies
- Department of Motor Vehicles
- General Registrars

ELECT will also distribute registration application forms to private groups and individuals upon request.

Public agencies offering voter registration services will use pre-coded transmittal envelopes to forward the registration applications. This procedure may not apply to those agencies that have made other arrangements with their local registrars.

Use the following link to reorder applications and/or envelopes:

<https://fs28.formsite.com/vaelect/StateAgencyMaterials/index.html?1659615145532>.

VOTER REGISTRATION APPLICATION DISPLAY BOXES

ELECT will supply display boxes to the General Registrars, Public Assistance Agencies, and the Department of Motor Vehicles.

Each group is responsible for determining the number of voter registration application display boxes and where these boxes will be displayed.

DO'S AND DON'T FOR DESIGNATED AGENCIES

DO:

- ☺ Do treat the applicant as a customer.
- ☺ Do let the client know that you can provide assistance in filling out the form.
- ☺ Do maintain strict neutrality with respect to a person's enrollment choice.
- ☺ Do provide information about registration deadlines and the registration process.
- ☺ Do instruct applicants that they need to re-register whenever they move, even if it is within the same apartment building.
- ☺ Do inform applicants they will receive notice from the county/city general registrar when their registration is processed.
- ☺ Do be sure to follow procedures so that registration applications are handled properly and processed in a timely fashion.
- ☺ Do allow the customer to choose to use a mail-in registration form.

DON'T:

- ☹ Don't attempt to influence an applicant's political preference or party affiliation. Don't display any political or party preference.
- ☹ Don't attempt to discourage an applicant from registering to vote.
- ☹ Don't lead the applicant to believe that the decision to register, or not to register, will affect the availability of services or benefits.
- ☹ Don't attempt to determine the applicant's eligibility to register - that's up to the county/city registrar.
- ☹ Don't in any way pressure the client to fill out the registration form.