

## National Voter Registration Act (NVRA) Fact Sheet

### National Voter Registration Act

- The National Voter Registration Act (NVRA) was passed by Congress to decrease barriers to voter registration. The NVRA is commonly known as Motor Voter, because its best known provision requires the Department of Motor Vehicles (DMV) to offer voter registration when consumers apply for and renew their driver's license.
- Congress recognized that not all citizens visit the DMV, and included a different part of the law, Section 7, aimed to reduce barriers to voter registration by requiring public assistance offices and state-funded programs primarily engaged in providing services to persons with disabilities to offer voter registration services to applicants and clients at every agency and office in the state.<sup>1</sup>
- A modernized and comprehensive NVRA implementation plan can play a critical role in improving election administration by increasing the accuracy of voting rolls, increasing voter registration, and reducing obstacles to participation by ensuring that a wide variety of government offices that regularly interact with the public provide voter registration opportunities and offer assistance with the voter registration process.<sup>2</sup>
- Voter registration services are provided to consumers at the time of application for services, renewal of benefits, and upon notification of a change of address. Voter registration services include providing a voter registration card and assistance with filling out the card.

### NVRA Implementation in California

- The NVRA was first implemented in California in mid-1995, after the state was ordered to do so by a federal district court. Voter registrations at agencies reached their peak in California in 1996 at nearly 160,000, but by 2011 were down over 81%.<sup>3</sup> An investigation by voting rights advocates in six counties revealed widespread non-compliance with the law.<sup>4</sup>
- In response, in 2012 California passed its own implementing statute, SB 35 (authored by then-Senator Alex Padilla), in the hope of improving its compliance with the NVRA. SB 35 aimed to improve performance by increasing accountability, modernizing implementation, and implanting best practices.
- That law put the Secretary of State in charge of coordinating compliance with the NVRA.

### Voter Registrations at Public Assistance Agencies Have Improved

- Public assistance agencies designated by the Secretary of State as mandatory voter registration issue in California include County social service agencies that provide Medi-Cal, CalFresh, and CalWORKS; Covered California; In-Home Supportive Services; and Women Infants and Children Program.
- A review of NVRA data collected by the Secretary of State's website reveals that since the passage of SB 35, public assistance agencies have markedly improved their performance.<sup>5</sup> Comparing like years in the election cycle, 2017's registrations were 24% higher than 2013, which was the first year of SB 35 implementation.
- The improvement in registrations can be attributed to a number of factors, including a 2014 settlement agreement with Covered California to require it to provide voter registration services and the incorporation of online registration into the application processes, as well as a multi-year on the ground effort led by the ACLU

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<sup>1</sup> Section 7 also requires voter registration services be provided at Armed Forces recruitment offices and requires states to designate "other offices" as voter registration agencies.

<sup>2</sup> Steven Rosenfeld, Project Vote, Voter Registration Modernization and the NVRA: How Paperless Information Technologies Can Help States Better Implement the National Voter Registration Act 23-24 (2010), available at [www.projectvote.org/images/publications/Policy%20Reports%20and%20Guides/Voter-Registration-Modernization-and-the-NVRA.pdf](http://www.projectvote.org/images/publications/Policy%20Reports%20and%20Guides/Voter-Registration-Modernization-and-the-NVRA.pdf).

<sup>3</sup> Secretary of State, Non-DMV Voter Registration Agencies: Yearly and Monthly Totals by County, 1995 to Present, available at [www.sos.ca.gov/elections/voter-registration/nvra/reports/](http://www.sos.ca.gov/elections/voter-registration/nvra/reports/).

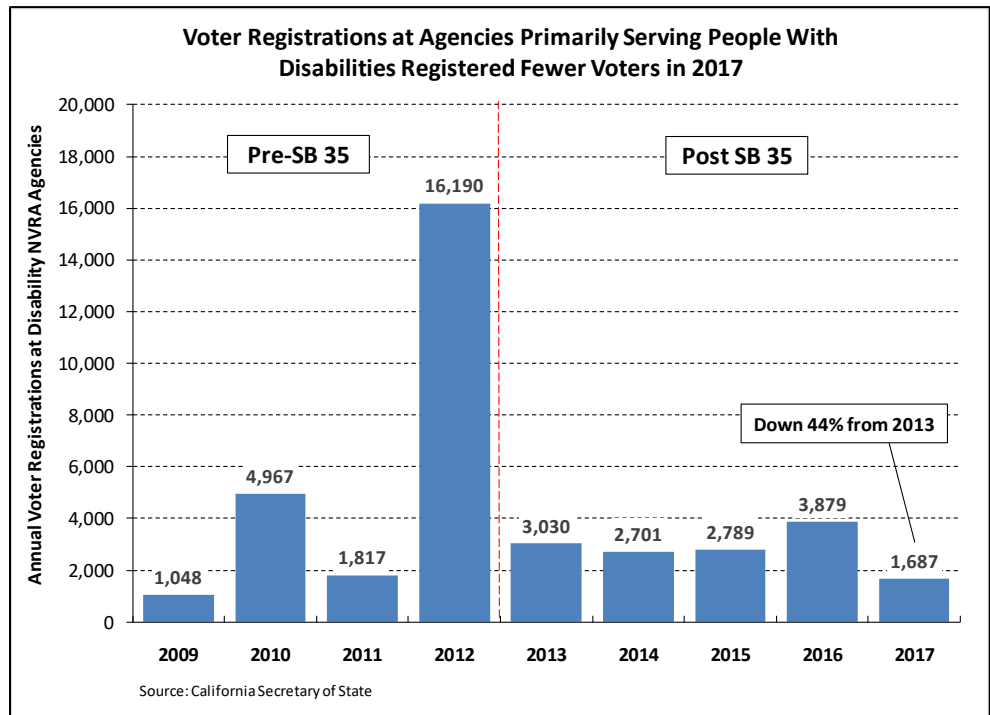
<sup>4</sup> Jody Herman & Doug Hess, Project Vote, California's Failure to Comply with the Public Agency Registration Requirements of the NVRA 3-4 (2009), available at [www.projectvote.org/images/publications/State-Specific%20Documents/California/FINAL%20PV%20CA%20NVRA%205.7.09.pdf](http://www.projectvote.org/images/publications/State-Specific%20Documents/California/FINAL%20PV%20CA%20NVRA%205.7.09.pdf).

<sup>5</sup> Secretary of State, Non-DMV Voter Registration Agencies: Monthly Totals by County and Category, April 2008 to Present, available at [www.sos.ca.gov/elections/voter-registration/nvra/reports/](http://www.sos.ca.gov/elections/voter-registration/nvra/reports/).

of California, Disability Rights California, and the National Association of Latino Elected Officials to work collaboratively with county social services agencies and county elections officials to train coordinators and staff, develop policies and procedures, and monitor compliance.

Voter Registrations at Disability Services Offices Have Not Improved

- While there has been significant progress with voter registrations at public assistance agencies, registrations at offices primarily serving people with disabilities have not improved at the same rate.
- In 2017, designated disability service agencies include: Regional Centers; Independent Living Centers; County mental health offices; Department of Rehabilitation - Vocational rehabilitation services; and Department of Social Services - Office of Deaf Access.<sup>6</sup>
- A review of the Secretary’s NVRA data reveals that registrations declined substantially at disability agencies, with 2017 being the lowest year of registrations in eight years. Registrations were down 44% in 2017, as compared to 2013.<sup>7</sup>
- There were 33 counties that averaged less than 1 registration per month in 2017 at all of their disability service agencies combined, including 17 counties without a single registration at a disability service agency in the entire year.
- Only seven counties averaged at least 4 registrations per month at a disability service agency.



Case Study: Voter Registrations at Regional Centers

- A review of the Secretary’s NVRA data of voter registrations at regional centers in 2017, illustrates the widespread failure to register voters at disability services offices.
- Regional centers are nonprofit organizations that contract with the Department of Developmental Services to provide and coordinate services for individuals with developmental disabilities. California’s 21 regional centers had a total caseload of nearly 340,000 in 2017.<sup>8</sup>
- Regional centers combined to register only 422 people in the entire year, or roughly 1 registration per 800 clients.
- Seven regional centers averaged less than 1 registration per month, including two regional centers that did not register a voter the entire year.<sup>9</sup>
- No regional centers averaged at least 5 registrations per month.

<sup>6</sup> On April 3, 2018, Secretary Padilla designated two new agencies, the University of California and California State University offices for students with disabilities, available at <http://elections.cdn.sos.ca.gov/nvra/laws-standards/pdf/nvra-designated-agencies-2018.pdf>.

<sup>7</sup> Secretary of State, Non-DMV Voter Registration Agencies: Monthly Totals by County and Category, April 2008 to Present, available at [www.sos.ca.gov/elections/voter-registration/nvra/reports/](http://www.sos.ca.gov/elections/voter-registration/nvra/reports/).

<sup>8</sup> While some people served by regional centers are minors, in those cases regional centers are required to provide voter registration services to the parents applying on their behalf.

<sup>9</sup> The seven regional centers are the Frank D Lanterman Regional, Harbor Regional Center, Westside Regional Center, Golden Gate Regional Center, North Bay Regional Center, Redwood Coast Regional Center, and the San Andreas Regional Center.