

# NATIONAL VOTER RIGHTS ACT OF 1993

## IN THE BEGINNING THERE WAS A VOTER

The first impactful legislation since the Voters Rights act of 1965 that changed the way we register to vote.



THE PURPOSE OF THE NVRA OF 1993 WAS TO:

BROADEN OPPORTUNITIES FOR VOTER REGISTRATION AND INCREASE  
ELIGIBLE CITIZENS PARTICIPATION IN THE ELECTION PROCESS BY:

1. DRIVERS LICENSE BUREAUS
2. AND OTHER STATE AGENCIES WERE O PROVIDE VOTER REGISTRATION APPLICATIONS
3. THE SECOND COMPONENT OF THE PURPOSE WAS VOTER ROLL MAINTENANCE

# NVRA OF 1993 HAS 13 SECTIONS



## **Sections 1 -3 Defines the Act's name, its purpose and definitions**

We touched on these in our previous slide. Definitions mean Federal Election Campaign Act of 1972 for term Elections; Federal Office . The Motor vehicle driver's license includes personal identification document issued by a State motor vehicle authority. State means a State of the US and the District of Columbia. Voter registration agency means an office designated under section 7a1 to perform voter registration activities.



## **Section 4 National procedures for voter registration for elections for federal office**

Required the states to provide procedures for voter registration at drivers license bureaus and other state and local government agencies simultaneously with their respective services. In Texas the SOS has stated that 75% of Texans register to vote using the DMV. This applies to in person, the mail in application is covered another section.



## **Section 5 Simultaneous application for voter registration and application for motor vehicle driver's license**

This section is where the act derived its name the Motor Voter Law. The Drivers license application and renewals submitted to State MVA are to serve as an application for voter registration for Federal Offices UNLESS the applicant fails to sign the Voter Registration Application. In Texas you can renew and apply for a driver's license, but you are directed to a link or website to complete voter application if you renewing online. The Federal government through the Federal Elections Commission designed a federal voter application form.

# NVRA OF 1993 HAS 13 SECTIONS - CONTINUED

## **Section 6: Mail Registration**



Each State Election official of a State is required to use the mail voter registration application form prescribed by the Federal Election Commission for the registration for Federal Office. These forms are required to be made available to all governmental and private entities with particular emphasis on making them available for organized voter registration programs. In Texas the State Election Official would be Secretary of State.

## **Section 7: Voter Registration Agencies**



Each State is to designate agencies for the registration of voters. The law requires those agencies to include state agencies that provide public assistance; state funded programs for persons with disabilities, county election department for voter registration, public libraries, public schools, fishing and hunting licenses, unemployment compensation. These agencies can either provide a mail in voter registration, or they provide assistance in completing the voter registration application form, unless applicant refuses. In addition, the agency must accept the completed voter registration form and transmit to the appropriate State election official. This section screams "TOO MANY CHEFS IN THE KITCHEN". Chain of custody issues are significant here.

## **Section 8: Requirements with Respect to Administration of Voter Registration**



The state is required to insure that every eligible applicant is registered to vote in an election. This section designates deadlines for the filing of applications received. In this section the establishment of each state to conduct list maintenance of the voter rolls. This section also established the 90-day prohibiting any changes to the voter roll except for death. This section limited the reasons for removal: change of address, death, felony convictions or mental disorders. Sets regulatory floor on how to remove voters.

# NVRA OF 1993 HAS 13 SECTIONS - CONTINUED



## **Section 9: Federal Coordination and regulation**

The Federal Elections Commission established in 1974 was to consult with the chief elections officer of the States. They developed a mail voter registration application form . The contents are to assist the election officers in assess the eligibility of the applicant: including citizenship; signature for penalties of perjury



## **Section 10: Designation of Chief state election official**

Each state shall designate a State officer or employee as the chief state election official to be responsible for coordination of State Responsibilities under this Act. In Texas the chief state election official is the Secretary of State.



## **Section 11, 12 and 13: Civil enforcement and Criminal penalties**

For details on the civil enforcement and criminal penalties for enforcement USC 42. The effective date of the act was January 1996

**NVRA AND THE HELP AMERICA VOTE ACT OF 2002 (HAVV) PLACES STRICT LIMITS ON HOW STATES MAY CONDUCT VOTER REGISTRATION LIST MAINTENANCE AND EXPANDED THE ACCESS OF REGISTRATION THROUGH FEDERAL AND STATE GOVERNMENT AGENCIES.**

**THE NVRA ALSO KNOWN AS THE MOTOR VOTER LAW PLAYS THE BIGGEST ROLE. IT IS BEST KNOWN FOR BROADENING OPPORTUNITIES FOR VOTER REGISTRATION BY REQUIRING STATES TO OFFER IT AT DRIVER'S LICENSE BUREAUS AND OTHER STATE AGENCIES.**

**ANOTHER IMPORTANT ASPECT OF THE NVRA IS THE REQUIREMENT THAT STATES ARE TO CONDUCT LIST MAINTENANCE IN A UNIFORM AND NONDISCRIMINATORY MANNER IN COMPLIANCE WITH THE VOTING RIGHTS ACT OF 1965 AND PROHIBITS LIST MAINTENANCE VERIFICATION ACTIVITIES WITHIN 90 DAYS OF AN ELECTION.**

**NVRA LIMITS THE REASONS A STATE MAY REMOVE A VOTER FROM THE ROLLS.**

**AT THE VOTER'S REQUEST  
DUE TO A FELONY CONVICTION OR MENTAL INCAPACITY  
VOTER HAS MOVED TO AN ADDRESS OUTSIDE THE VOTER REGISTRATION**

**NVRA DOES NOT OUTLINE SPECIFIC PROCEDURES STATES HAVE TO FOLLOW TO REMOVE VOTERS FOR:**

**DEATH  
FELONY CONVICTIONS  
ADJUDICATION OF MENTAL INCAPACITY**

**SETS A REGULATORY FLOOR. THIS FLOOR IS A NOTIFICATION PROCESS BEFORE A VOTER CAN BE REMOVED.**

## NVRA PROCESS FOR NOTIFICATION TO THE VOTER:

- MAILING A FORWARDABLE NOTICE WITH A PRE-ADDRESSED, POSTAGE PAID RETURN CARD TO REGISTRANTS WHOSE ADDRESS HAS CHANGED.
- IF THE VOTER RETURNS THE CARD, THE REGISTRATION RECORD IS EITHER UPDATED WITH THE INFORMATION THE VOTER PROVIDES OR, IF THE VOTER HAS MOVED OUTSIDE THE JURISDICTION, DELETED.
- IF THE VOTER DOES NOT RESPOND THE VOTER CAN BE CHANGED FROM ACTIVE TO INACTIVE AFTER A PERIOD OF TWO YEARS FROM ONE FEDERAL ELECTION TO THE NEXT, THEY CAN BE REMOVED.

THIS APPLICATION BECAME THE SUPREME COURTS BASIS FOR RULING ON A CASE IN ARIZONA THAT PROOF OF CITIZENSHIP COULD NOT BE REQUIRED.

THIS APPLICATION ONLY REQUESTS YOU  
TO ANSWER THE QUESTIONS TRUTHFULLY  
AND SIGN THE APPLICATION STATING ALL  
IS ACCURATE WITH PENALTIES OF PERJURY

**This application is a state application, but each state is required to follow the EAC's Federal Election Commissions required identifying information, including the signature of the applicant for the state election official to assess eligibility of the applicant, are you a citizen and**

## **Poll Worker Helps**

Update your Voter Registration in Texas | VoteTexas.gov



[Home >](#)

# How to Register or Update your registration information

**Registering to vote for the first time:**

**Register to vote when renewing your Driver License**

If you're not already registered to vote but have an existing Texas Driver License or state identification card, you can register to vote online when renewing, replacing or changing your contact information for either of these cards through the Texas Department of Public Safety (DPS).

Follow the steps on the [DPS web portal to update your driver license information](#), and you will be given the option to register to vote when renewing or updating your information.

## **POLL WORKER HELPS**

[Texas Voter Registration | Texas.gov](https://www.texas.gov/elections/voter-registration)

# Texas Voter Registration

Exercise your right to vote in Texas! The Secretary of State manages elections and voting in Texas. Check your registration status, learn how to register, and know what you'll need on election day.

Check if you're registered

Are You Registered?

First Name\*

Last Name\*

Suffix

Date Of Birth\*



MM/DD/YYYY

Selection Criteria

SUBMIT

## **Poll Worker Voter Registration and Maintenance Per the Secretary of State Website**

### Voter Registration

**After Lunch we will review this in detail to show you how these ACTs are applied in Texas and Locally.**

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## **Voter Registration**

Under Section 13.001 of the Texas Election Code<sup>1</sup>, to be eligible to register to vote<sup>2</sup> in Texas, a person must:

1. Be 18 years or older on election day,
2. Be a United States citizen,
3. Be a resident of the county where the application is submitted,
4. Not be finally convicted of a felony or, if so, have completed the terms of the jail sentence, probation or parole, and
5. Have not been declared by a court exercising probate jurisdiction to be either totally mentally incapacitated or partially mentally incapacitated without the right to vote.

To register to vote, Section 13.002 requires that a person submit an application either in person or by mail to the county voter registrar in the county in which the voter resides. The application must be in writing and signed by the applicant<sup>3</sup>.



Once a voter registrar receives an application, the voter registrar will review it to determine whether it is properly completed and whether the person is eligible for registration under the law<sup>4</sup>. The