

County of Orange Social Services Agency
Family Self-Sufficiency/Adult Services/In-Home Supportive Services

Program/Area: In-Home Supportive Services
Title: National Voter Registration Act (NVRA)
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POLICY

In-Home Supportive Services (IHSS), as one of the offices offering public assistance known as NVRA agency, has a responsibility under the NVRA to provide voter registration services to its IHSS applicants/recipients at:

- Application
- Reassessment
- Change of address

NVRA requires voter registration agencies to provide the following voter registration services to each IHSS applicant/recipient:

- Distribute a Voter Registration Card (VRC).
- Distribute a Voter Preference Form (VPF).
- Assist applicants who ask for help with completing the VRC and VPF.
- Accept and send completed VRCs to elections officials.
- Keep the completed VPFs on file for two years.

IHSS applicants/recipients must be advised that applying or declining to register to vote will not affect the receipt of benefits that will be provided by the Social Services Agency (SSA).

IHSS staff are not responsible to determine IHSS applicant's/recipients's eligibility to vote however, staff can explain the following eligibility requirements to IHSS applicants/recipients when offering voter registration services (VRS):

- Be at least 18 years of age by the date of the next election
- Be a United States citizen
- Be a resident of California
- Not be in prison/county jail or on parole for conviction of a felony
- Not be found by a court to be mentally incompetent

The NVRA requires that all IHSS applicants/recipients 16 years of age or older must be given a VPF and a VRC for Pre-Registration, regardless of whether the applicant/recipient indicates they want to register to vote or not. County must provide assistance in completing the form, if requested, and provide the same degree of assistance to all applicants/recipients.

No assumptions about a person's ability to register and to vote based on the person's disability. Only a court can decide. Any person who has not been judged

by a court: “not capable of completing an affidavit of voter registration” might be eligible to vote.

These voter registration services must be provided whether the transaction is conducted in person or remotely, for example via phone, email or internet.

These requirements should be explained to IHSS applicants/recipients either verbally if applying in person or in writing for mail-in/online applications.

Staff may not prohibit or inhibit a person from registering to vote regardless of the determination of eligibility to benefits (pending/approved/denied).

The NVRA places restrictions on how agency staff may interact with applicants when providing the opportunity to register to vote. Staff must not:

- Seek to influence an applicant's political preference or party registration.
- Display any political preference or party allegiance.
- Make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote.
- Make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

The NVRA requires agencies to forward completed VRCs to elections offices within 3 calendar days of receipt. This is a change to the previous 10 day timeframe. As a practical matter, agencies should forward VRCs on a daily basis. VRCs are pre-addressed to the county elections office and contain postage paid stamp.

Agencies must have both forms in all required languages at all sites. Language requirements in Orange County are: Chinese, English, Korean, Spanish, and Vietnamese.

Under SB 35, NVRA agencies must appoint one staff person at each agency office as NVRA Coordinator to be in charge of NVRA compliance, including arranging staff training, ordering supplies of VRCs from the county elections office, and ensuring VRCs are submitted in a timely manner to the county elections office.