

<p style="text-align: center;">Texas WIC Health and Human Services Commission</p>
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Effective April 1, 2020

Policy No. GA:19.0

Compliance with the National Voter Registration Act of 1993

Purpose

To ensure all local agencies (LAs) comply with the National Voter Registration Act (NVRA) of 1993.

Authority

Public Law 103-31(as found in 52 U.S.C. Ch. 205); Texas Election Code Chapter 20.001 – Chapter 20.037

Policy

Each LA must provide adult applicants/participants or adult parents/caregivers applying on behalf of a child with the opportunity to register to vote at the time of initial application, recertification, and/or when an applicant/participant reports a name change or change of address. Additionally, each LA must document those who decline to register to vote.

Procedures

- I. When an adult applicant/participant (i.e., pregnant, breastfeeding, or postpartum woman) or adult parent/caregiver applying on behalf of a child applies for initial certification, recertification, and/or reports a change of address, staff must ask if the applicant/participant would like to apply to register to vote.
 - A. Individuals must be at least 17 years and 10 months of age to register to vote. LA staff may determine a person's age by reviewing any available documents provided by the applicant. If an individual's age cannot be determined, the agency should still offer the individual the opportunity to register to vote.

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- B. LA staff must not make any other determination about an applicant/participant's eligibility to register to vote other than their age.
 - C. Staff must not influence an applicant's/participant's political preference or party registration. This includes displaying any political preference or party affiliation in the clinic, or making any statement or taking any action to discourage the individual from registering to vote.
 - D. LA staff must inform the applicant/participant that the decision whether or not to register to vote will not affect their application for WIC benefits.
 - E. If an LA provides certification or recertification services during a home visit or in any other non-clinic setting, the applicant/participant must also be given an opportunity to register to vote following these procedures.
- II. If the individual indicates they would like to register to vote, give them a blank Texas voter registration application to complete and review the Rights and Responsibilities Form on the Opportunity to Register to Vote section of the WIC Management System (MIS) with them. Document their voter registration in the MIS.
- A. Applicants must be offered assistance in reading and/or completing the Texas voter registration application, including assistance in their preferred language. It is up to the applicant to decline or accept assistance.
 - B. Once the applicant/participant completes the Texas voter registration application, review it for completeness in the presence of the applicant/participant.

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1. If the Texas voter registration application is incomplete and/or doesn't have the required signature, return the application to the applicant/participant for completion.
 2. A street address is required.
 - a) Rural routes or post office boxes are not acceptable as a "Residence Address." Instead, applicants/participants must use a description such as "northwest corner of Elm and Maple" or "Bill Smith's Ranch" if their residence only has a rural route or post office box address.
 - b) A homeless or displaced person must use either a shelter address or describe where they sleep at night; for example, "under the south end of the 1st Street Bridge".
 3. Applicants/participants who are not able to write may make a "mark" for their signature. WIC staff should then print the applicant/participant's name and sign their own name as witness. A witnessing signature by WIC staff serves only as a declaration that the staff person witnessed the applicant/participant make a signature mark and does not constitute a declaration that any or all of the information provided by the applicant is correct and true.
- III. If the applicant/participant indicates they do not wish to register to vote, LA staff must request that the applicant/participant sign the declination statement on the Opportunity to Register to Vote section in the MIS.
- A. Staff must provide assistance to the applicant/participant in understanding the declination process, including assistance in their preferred language, if requested.
 - B. If the applicant/participant chooses not to sign the declination statement on the Opportunity to Register to Vote in the MIS, the LA staff must initial the appropriate space designated "For Agency Use".

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- C. Information relating to a declination to register to vote must not be used for any purpose other than voter registration and internal WIC audit/review.
 - D. Completed declination statements (Rights and Responsibilities Form, Opportunity to Register to Vote) must be retained within the MIS for 3 years.
- IV. If the applicant/participant chooses not to complete the Texas voter registration application during their visit but chooses to take it home to complete and self-mail, staff must initial the appropriate space designated "For Agency Use" in the Opportunity to Register to Vote section on the Rights and Responsibilities form in the MIS to indicate that an application was kept by the applicant/participant. If the applicant/participant prefers to return the completed Texas voter registration application to the LA, staff must mail it to the appropriate County Voter Registration Official (see Procedure V).
- V. LA staff must assure that completed Texas voter registration applications are delivered to the County Voter Registration Official of the county in which the clinic is located no later than five days after the application was submitted to LA staff.
- A. A current list of the County Voter Registration Officials can be found at <https://www.sos.state.tx.us/elections/voter/votregduties.shtml>.
 - B. Completed applications must be delivered to the County Voter Registration Official by hand-delivery, mail, fax or any other secure method of transmission.
 - 1. Multiple applications may be batched together and mailed in a single envelope.
 - 2. Mailing costs associated with submission of the voter registration applications to County Voter Registration Officials are allowable costs.

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- VI. Each LA must appoint a person to act as an NVRA liaison with the County Voter Registration Official(s) in the county where the clinic(s) is/are located. In Local Agencies with large service areas of multiple counties, the LA Director may appoint additional liaisons at their discretion.
- A. It is recommended that the NVRA liaison initiate contact with the County Voter Registration Official(s) to encourage communication and assure effective processing of the voter registration material.
 - B. It is recommended that the NVRA liaison be responsible for:
 - 1. Ensuring an adequate supply of printed Texas voter registration applications are available at all sites (see Procedure VI.C),
 - 2. Periodically observing LA staff to ensure the requirements of NVRA are understood and met,
 - 3. Training new employees on implementation of these procedures,
 - 4. Resolving questions and problems that arise.
 - C. The NVRA liaison must order blank Texas voter registration applications (Stock numbers 13-06-11538 for English and 13-06-11538A for Spanish) from the Texas WIC Catalog at <https://hhs.texas.gov/doing-business-hhs/provider-portals/wic-providers/women-infants-children-catalog/>
- VII. In all cases where an applicant/participant has a complaint, the applicant/participant must be provided with the Secretary of State's Election Division's toll-free number, 1-800-252-8683, and the phone number of their County Voter Registration Official.
- VIII. When an applicant/participant has a question about voter registration that the WIC staff cannot answer, the applicant/participant must be provided with the Secretary of State's Election Division's toll-free number, 1-800-251-8683 as well as the phone number for their County Voter Registration Official found at <https://www.sos.state.tx.us/elections/voter/votregduties.shtml>.