

California

Registration Deadline

Forms must be received or postmarked 15 days before an election.¹

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Database Implementation Status

California currently maintains a bottom-up registration system: forms processed at the county level are periodically uploaded to the statewide database.² Anticipating that it would not be able to meet the January 1, 2006, deadline for the creation of a HAVA-compliant system, California entered into a memorandum of understanding with the U.S. Department of Justice (“DOJ MOU”) concerning the implementation of the state’s statewide voter registration system (“CalVoter”).³

Entering Voter Registration Information

Who inputs voter registration information? County boards of registrars generally review and enter information from voter registration forms in their jurisdictions into the county systems.

What happens to voter registration forms submitted at state registration agencies? Forms received by the Secretary of State, the Department of Motor Vehicles (“DMV”), or another voter registration agency are sent to the appropriate county registrar for review and entry.⁴ If an application is mistakenly delivered to an inappropriate county registrar, it will be forwarded to the correct county registrar, but the application will only be valid for elections occurring at least 29 days after the application is received.⁵

How are most forms submitted? California reported that in 2004, 59% of forms were submitted by mail, 23% were submitted in person to election officials, 8% were submitted at the DMV, 6% were submitted at another voter registration agency, and 5% were submitted by other means.⁶

Voter Registration Form

The relevant portions of the voter registration form are included at the end of this section.⁷

Processing of Forms Without Identifying Numbers

How will the state treat an application with an affirmative indication that the applicant has no valid identifying number? The state will attempt to match the applicant’s information (see below); if an appropriate identifying number can be found through the match process, that number will be applied to the applicant’s record. Otherwise, the applicant will be assigned a unique voter registration number. If the applicant is otherwise eligible, she will be considered registered, but will have to show identification at the polls.⁸

How will the state treat an application without an identifying number and without an affirmative indication that the applicant has no such number? The state will attempt to match the applicant's information (see below); if an appropriate identifying number can be found through the match process, that number will be applied to the applicant's record. Otherwise, the applicant will be assigned a unique voter registration number; if the applicant is otherwise eligible, she will be considered registered, but will have to show identification at the polls.⁹

How will the state treat an application listing an identifying number that is either incomplete or illegible? Under regulations adopted pursuant to the DOJ MOU, it appears that if uncorrected (see below), the application will be rejected for voters who register other than by mail; for an applicant registering by mail, if the applicant is otherwise eligible, she will be considered registered, but will have to show identification at the polls.¹⁰

Matching Against Motor Vehicle and Social Security Records

What fields from the voter registration form will the state seek to match to motor vehicle or Social Security records? Identifying number, first name, last name, and date of birth.

How precise is the match standard? California intends to use an exact match standard, but has not yet finalized the criteria by which a match will be sought.

How much human intervention is involved in determining whether information is matched? California intends to use a fully automated system, but has not yet completed system design and has not yet fully determined the extent of human discretion that will be involved.

Description of matching process: California has not yet determined the process by which a match will be sought for information on forms listing a driver's license number. Information on forms listing SSN digits will be automatically checked against the SSA database through the standard AAMVA process: the county elections official will submit an entered record to the DMV database, which will automatically submit the appropriate fields to the SSA and return a code indicating whether the record was successfully matched or not.

What are the consequences if the state cannot find a match? Under regulations adopted pursuant to the DOJ MOU, it appears that if uncorrected (see below), the application will be rejected for voters who register other than by mail; for an applicant registering by mail, if the applicant is otherwise eligible, she will be considered registered, but will have to show identification at the polls.¹¹

Notice and Opportunity to Resolve Errors

Does the applicant have the opportunity to correct a missing or incomplete identifying number, without submitting a new form? Yes. The applicant may correct missing or incomplete information at any point before the voter registration deadline.

Does the applicant have the opportunity to resolve a failed match, without submitting a new form? Yes. The applicant may submit information to resolve a failed match at any point before the voter registration deadline.

If information on an otherwise timely application is corrected after the voter registration deadline, is the correction timely? No.

Description of notice and correction process: The county registrar will contact – by telephone if possible, and otherwise by mail – an applicant whose identifying number is missing, incomplete, or unverified.¹² The applicant may correct any errors until the voter registration deadline, by submitting verifiable identifying numbers or a copy of valid identification by mail or in person. Under regulations adopted pursuant to the DOJ MOU, it appears that an applicant without identifying numbers that have been verified by the voter registration deadline may still vote if she applied by mail and provides identification at the polls, but that she may not vote any ballot that will count if she did not apply by mail.¹³

Identification Requirements at the Polls

Who must provide identification at the polls? A first-time voter registering by mail whose identifying numbers have not been verified must show ID at the polls.

Forms of ID:

1st-time voters registering by mail without verified identifying number:	current and valid photo ID current utility bill w/ name, address bank statement w/ name, address government check w/ name, address government paycheck w/ name, address other gov't document w/ name, address
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What forms of identification are accepted? A current and valid photo ID provided by a third party in the ordinary course of business (including a state driver's license or ID card, passport, employee photo ID card, commercial establishment's photo ID card, credit or debit card with photo, military photo ID card, student photo ID card, health club photo ID card, insurance plan photo ID card, or public housing photo ID card), or a current utility bill, bank statement, government check, government paycheck, or other government document that shows the voter's name and address.¹⁴

What are the consequences of failing to show identification? The voter may cast a provisional ballot.¹⁵ The ballot will be counted if the signature on the provisional ballot matches the signature on the appropriate voter registration form.¹⁶

Statutes and Regulations

CAL. ELEC. CODE §§ 2000 *et seq.* generally concern registration of voters. CAL. ELEC. CODE § 2168 directs the Secretary of State to establish and maintain a statewide voter

registration system. CAL. CODE REGS. tit. 2, §§ 19001 *et seq.* comprise the applicable regulations.

End Notes

Note: Pursuant to the recommendation of state officials, county officials were also interviewed for this summary.

¹ CAL. ELEC. CODE § 2102. New California residents may register up to seven days before a general election, in the county elections office; these new residents must also vote in the county elections office. CAL. ELEC. CODE § 3400.

² electionline.org, *Assorted Rolls: Statewide Voter Registration Databases Under HAVA*, June 2005, available at <http://www.electionline.org/Portals/1/EB11.FINAL1.pdf>, at 15; CAL. ELEC. CODE § 2168.

³ Memorandum of Agreement (Nov. 2, 2005), http://www.usdoj.gov/crt/voting/hava/ca_moa.htm; *Help America Vote Act: The Endgame*, electionline Weekly (Dec. 8, 2005), available at <http://www.electionline.org/Newsletters/tabid/87/ctl/Detail/mid/643/xmid/166/xmfid/3/Default.aspx>.

⁴ The Secretary of State is required to forward application forms to the appropriate county within one working day of receipt. CAL. CODE REGS. tit. 2, § 19050.8(b).

⁵ CAL. ELEC. CODE § 2114.

⁶ Election Assistance Commission, *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 2003-2004*, June 30, 2005, tbl. 2, available at http://www.eac.gov/NVR_Spreadsheets/NVRA_table_2.html. Due to rounding, the percentages listed may exceed 100%.

⁷ The voter registration form that California has made available online is the federal form.

⁸ CAL. CODE REGS. tit. 2, §§ 20108.65, 20108.70.

⁹ *Id.* §§ 20108.65, 20108.70; *see also* CAL. ELEC. CODE § 2150(7) (“No person shall be denied the right to register because of her or her failure to furnish one of these numbers, and shall be so advised on the voter registration card.”). Before the DOJ MOU, some California counties indicated that they followed a different procedure. One county explained that the voter would be notified of the need to supply the appropriate information before the close of registration; if the voter did not correct the omission, she would only be able to vote a provisional ballot, to count only if the signature on the ballot matched the signature on the registration application form.

¹⁰ CAL. CODE REGS. tit. 2, §§ 20108.37(b), 20108.38. Section 20108.37(b) appears to state that an applicant with an unverified identifying number is to be designated “pending,” and may not be entered into the statewide voter registration system to vote a regular ballot; section 20108.38 appears to state that an applicant submitting her form by mail with an unverified identifying number must be entered into the statewide voter registration system with a notation that she may only vote a regular ballot if she shows identification before Election Day or at the polls. Neither section acknowledges any potential conflict with the other.

¹¹ CAL. CODE REGS. tit. 2, §§ 20108.37(b), 20108.38. Section 20108.37(b) appears to state that an applicant with an unverified identifying number is to be designated “pending,” and may not be entered into the statewide voter registration system to vote a regular ballot; section 20108.38 appears to state that an applicant submitting her form by

mail with an unverified identifying number must be entered into the statewide voter registration system with a notation that she may only vote a regular ballot if she shows identification before Election Day or at the polls. Neither section acknowledges any potential conflict with the other.

¹² CAL. ELEC. CODE § 2153.

¹³ CAL. CODE REGS. tit. 2, §§ 20108.37(b), 20108.38 determine who may be entered into the statewide voter registration system; section 20108.18(b) of the same title requires that the statewide system be used to determine whether a provisional ballot will be counted. Therefore, a voter who is not entered into the statewide system will not be able to cast a regular ballot, and also will not be able to cast a provisional ballot that will be counted.

¹⁴ *Id.* § 20107 lists particular forms of identification that qualify, but while HAVA permits the use of a paycheck with the individual's name and address, the California regulation specifies that the paycheck must be issued by the government. However, the same regulation also states that "[t]her section shall be liberally construed to permit voters and new registrants to cast a regular ballot. Any doubt as to the sufficiency of proof or a document presented shall be resolved in favor of permitting the voter or new registrant to cast a regular ballot." *Id.*

¹⁵ *Id.* § 20107(c).

¹⁶ CAL. ELEC. CODE § 14310(c)(1).

General Instructions

Who Can Use this Application

If you are a U.S. citizen who lives or has an address within the United States, you can use the application in this booklet to:

- Register to vote in your State,
- Report a change of name to your voter registration office,
- Report a change of address to your voter registration office, or
- Register with a political party.

Exceptions

Please do not use this application if you live outside the United States and its territories and have no home (legal) address in this country, or if you are in the military stationed away from home. Use the Federal Postcard Application available to you from military bases, American embassies, or consular offices.

New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form.

North Dakota does not have voter registration.

Wyoming law does not permit mail registration.

How to Find Out If You Are Eligible to Register to Vote in Your State

Each State has its own laws about who may register and vote. Check the information under your State in the State Instructions.

Note: All States require that you be a United States citizen by birth or naturalization to register to vote in federal and State elections. Federal law makes it illegal to falsely claim U.S. citizenship to register to vote in any federal, State, or local election.

Also Note: You **cannot** be registered to vote in more than one place at a time.

How to Fill Out this Application

Use both the Application Instructions and State Instructions to guide you in filling out the application.

First, read the Application Instructions. These instructions will give you important information that applies to everyone using this application.

Next, find your State under the State Instructions. Use these instructions to fill out Boxes 6, 7, and 8. Also refer to these instructions for information about voter eligibility and any oath required for Box 9.

When to Register to Vote

Each State has its own deadline for registering to vote. Check the deadline for your State on the last page of this booklet.

How to Submit Your Application

Mail your application to the address listed under your State in the State Instructions. Or, deliver the application in person to your local voter registration office.

The remaining States that accept the national form will accept copies of the application printed from the computer image on regular paper stock, signed by the applicant, and mailed in an envelope with the correct postage.

First Time Voters Who Register by Mail

If you are registering to vote for the first time in your jurisdiction and are mailing this registration application, you may be required to provide proof of identification the first time you vote.

Depending on the specific requirements of your State, you may avoid providing identification at the polls when you vote for the first time by mailing a copy of an identification document together with this application. The list of acceptable documents is included in the State Instructions.

Do not include original documents with this application.

Please read the accompanying State Instructions to determine the voter identification requirements for your State.

If You Were Given this Application in a State Agency or Public Office

If you have been given this application in a State agency or public office, it is your choice to use the application or not.

If you decide to use this application to register to vote, you can fill it out and leave it with the State agency or public office. The application will be submitted for you. Or, you can take it with you to mail to the address listed under your State in the State Instructions. You also may take it with you to deliver in person to your local voter registration office.

Note: The name and location of the State agency or public office where you received the application will remain confidential. It will not appear on your application. Also, if you decide not to use this application to register to vote, that decision will remain confidential. It will not affect the service you receive from the agency or office.

Application Instructions

Before filling out the body of the form, please answer the questions on the top of the form as to whether you are a United States citizen and whether you will be 18 years old on or before election day. If you answer no to either of these questions, you may not use this form to register to vote. However, state specific instructions may provide additional information on eligibility to register to vote prior to age 18.

Box 1 — Name

Put in this box your full name in this order — Last, First, Middle. Do not use nicknames or initials.

Note: If this application is for a change of name, please tell us in **Box A** (on the bottom half of the form) your full name before you changed it.

Box 2 — Home Address

Put in this box your home address (legal address). Do **not** put your mailing address here if it is different from your home address. Do **not** use a post office box or rural route without a box number. Refer to state-specific instructions for rules regarding use of route numbers.

Note: If you were registered before *but* this is the first time you are registering from the address in Box 2, please tell us in **Box B** (on the bottom half of the form) the address where you were registered before. Please give us as much of the address as you can remember.

Also Note: If you live in a rural area but do not have a street address, or if you have no address, please show where you live using the map in **Box C** (at the bottom of the form).

Box 3 — Mailing Address

If you get your mail at an address that is different from the address in Box 2, put your mailing address in this box.

Note: If you have no address in Box 2, you **must** write in Box 3 an address where you can be reached by mail.

Box 4 — Date of Birth

Put in this box your date of birth in this order — Month, Day, Year. *Be careful not to use today's date!*

Box 5 — Telephone Number

Most States ask for your telephone number in case there are questions about your application. However, you do **not** have to fill in this box.

Box 6 — ID Number

Federal law requires that states collect from each registrant an identification number. You must refer to your state's specific instructions for item 6 regarding information on what number is acceptable for your state. If you have neither a drivers license nor a social security number, please indicate this on the form and a number will be assigned to you by your state.

Box 7 — Choice of Party

In some States, you must register with a party if you want to take part in that party's primary election, caucus, or convention. To find out if your State requires this, see item 7 in the instructions under your State.

If you want to register with a party, print in the box the full name of the party of your choice.

If you do **not** want to register with a party, write "no party" or leave the box blank. Do **not** write in the word "independent" if you mean "no party," because this might be confused with the name of a political party in your State.

Note: If you do not register with a party, you can still vote in general elections and nonpartisan (nonparty) primary elections.

Box 8 — Race or Ethnic Group

A few States ask for your race or ethnic group, in order to administer the Federal Voting Rights Act. To find out if your State asks for this information, see item 8 in the instructions under your State. If so, put in Box 8 the choice that best describes you from the list below:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black, *not of* Hispanic Origin
- Hispanic
- Multi-racial
- White, *not of* Hispanic Origin
- Other

Box 9 — Signature

Review the information in item 9 in the instructions under your State. Before you sign or make your mark, make sure that:

- (1) You meet your State's requirements, and
- (2) You understand **all** of Box 9.

Finally, sign your **full** name or make your mark, and print today's date in this order — Month, Day, Year.

If the applicant is unable to sign, put in **Box D** the name, address, and telephone number (optional) of the person who helped the applicant.

Voter Registration Application

Before completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America? <input type="checkbox"/> Yes <input type="checkbox"/> No Will you be 18 years old on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No If you checked "No" in response to either of these questions, do not complete form. (Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)		This space for office use only.									
1	(Circle one) Mr. Mrs. Miss Ms.	Last Name	First Name	Middle Name(s)	(Circle one) Jr Sr II III IV						
2	Home Address		Apt. or Lot #	City/Town	State	Zip Code					
3	Address Where You Get Your Mail If Different From Above			City/Town	State	Zip Code					
4	Date of Birth ____/____/____ Month Day Year		5	Telephone Number (optional)		6 ID Number - (See Item 6 in the instructions for your state)					
7	Choice of Party (see item 7 in the instructions for your State)		8	Race or Ethnic Group (see item 8 in the instructions for your State)							
9 I have reviewed my state's instructions and I swear/affirm that: <ul style="list-style-type: none"> ■ I am a United States citizen ■ I meet the eligibility requirements of my state and subscribe to any oath required. ■ The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States. 											
Please sign full name (or put mark)											
Date: <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> <tr> <td style="text-align: center;">Month</td> <td style="text-align: center;">Day</td> <td style="text-align: center;">Year</td> </tr> </table>									Month	Day	Year
Month	Day	Year									

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Please fill out the sections below if they apply to you.

If this application is for a **change of name**, what was your name before you changed it?

A	Mr. Mrs. Miss Ms.	Last Name	First Name	Middle Name(s)	(Circle one) Jr Sr II III IV
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If you were **registered before but this is the first time you are registering from the address in Box 2**, what was your address where you were registered before?

B	Street (or route and box number)	Apt. or Lot #	City/Town/County	State	Zip Code
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If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

■ Write in the names of the crossroads (or streets) nearest to where you live.
 ■ Draw an **X** to show where you live.
 ■ Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.

Example	Route #2	● Grocery Store
		Woodchuck Road
Public School ●		X

NORTH ↑

If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

D	
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Mail this application to the address provided for your State.

State Instructions

California

Registration Deadline — 15 days before the election.

6. ID Number When you register to vote, you must provide your California driver's license or California identification card number, if you have one. If you do not have a driver's license or ID card, you must provide the last four digits of your Social Security Number (SSN). If you do not include this information, you will be required to provide identification when you vote.

7. Choice of Party. Please enter the name of the political party with which you wish to register. If you do not wish to register with any party, enter "Decline to State" in the space provided.

California law allows voters who "decline to state" an affiliation with a qualified political party or who affiliate with a nonqualified political party to vote in the primary election of any qualified political party that files a notice with the Secretary of State allowing them to do so. You can call 1-800-345-VOTE or visit www.ss.ca.gov to learn which political parties are allowing nonaffiliated voters to participate in their primary election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in California you must:

- be a citizen of the United States
 - be a resident of California
 - be at least 18 years of age at the time of the next election
 - not be imprisoned or on parole for the conviction of a felony
 - not currently be judged mentally incompetent by a court of law
- Signature is required. If you meet the requirements listed above, please sign and date the registration card in the space provided.

Attention: Proof of Voter Identification

(Pursuant to the Help America Vote Act of 2002)

Voting in person:

- A first-time voter who registers by mail must present to the appropriate state or local election official:
 - 1) a current and valid photo identification; or

- 2) a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

Voting by mail:

- A first-time voter who registers by mail must submit a **COPY** of one of the following documents with his or her absentee ballot:
 - 1) current and valid photo identification; **OR**
 - 2) current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

For Those Who Register by Mail:

Persons who register to vote by mail and submit a driver's license number that the state or local election official can match with an existing state identification record will not be required to provide identification when they vote. Additionally, voters will not be required to provide identification when they vote if they are: (i) provided the right to vote otherwise than in person under the Voting Accessibility for the Elderly and Handicapped Act; or (ii) entitled to vote otherwise than in person under any other Federal law.

These identification requirements only apply to elections in which there is a federal office on the ballot. If you do not provide proof of identification, you may cast a provisional ballot.

Mailing address:

Secretary of State
Elections Division
1500 11th Street
Sacramento, CA 95814