



National Voter Registration Act Implementation Project

PUBLIC AGENCY VOTER REGISTRATION MODEL BILL

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Agency Voter Registration Improvement Act of 2006".

SECTION 2. NVRA OFFICER.

The head of each agency or department required to provide voter registration services pursuant to 42 USC § 1973gg-5 shall appoint a NVRA officer.

SECTION 3. DUTIES AND RESPONSIBILITIES OF NVRA OFFICER.

The NVRA officer of each agency and department shall, subject to the authority of the head of the agency or department:

- 3.1 have agency or department wide responsibility for efficient and appropriate compliance with NVRA;
- 3.2 monitor NVRA implementation throughout the agency or department, including through the use of meetings with the public. Such meeting shall be held consistent with applicable state law and regulation;
- 3.3 recommend to the head of the agency or department such adjustments in the agency or department practices, policies, personnel and funding as may be necessary to implement the requirements of NVRA in a manner designed to enhance the opportunity of individuals seeking or receiving services from the agency or department to register to vote;
- 3.4 review and report through the head of the agency or department at the end of each fiscal year the agency's or department's performance in implementing NVRA;
- 3.5 apprise the head of the agency or department the extent to which the agency or department has successfully carried out the plan developed pursuant to section 6 of this bill; and
- 3.6 cooperate with the Chief Election Officer of the state to assure that the voter registration services delivered by the agency or department are performed in a manner that allows the Chief Election Officer of the state to carry out his or her responsibilities efficiently and in the interest of the citizens that take advantage of those services.

SECTION 4. NVRA COORDINATORS

Consistent with agency or department regulations and personnel practices, each agency and department required to provide voter registration services pursuant to 42 USC § 1973gg-5 shall appoint a NVRA coordinator for each office in which it is required to provide registration services. Each agency or department shall assure that each NVRA coordinator receives adequate training to be able understand and implement all agency and department rules, regulations or directives related to compliance with 42 USC § 1973gg-5.

SECTION 5. RESPONSIBILITIES OF NVRA COORDINATOR

The NVRA coordinator appointed pursuant to Section 4 shall have responsibility for:

- 5.1 reporting to the agency's or department's NVRA officer the procedures that the office has adopted to assure compliance with agency and department rules, regulations and directives implementing 42 USC § 1973gg-5;
- 5.2 assuring all new employees that are responsible for complying with 42 USC § 1973gg-5 receive adequate training and instruction and that all existing employees are fully and timely informed of changes in agency or department practices or procedures for implementing 42 USC § 1973gg-5;
- 5.3 monitoring office compliance with all agency or department rules, regulations and directives implementing 42 USC § 1973gg-5 and reporting, subject to agency or department regulations and personnel practices, to the NVRA officer substantial office non-compliance with relevant rules, regulations or directives;
- 5.4 assuring that all completed voter registration applications are promptly transmitted to the appropriate agency; and
- 5.5 report in such form as required by the NVRA officer the number of voter registration applications and voter change of address forms received and processed by the office; and
- 5.6 assure adequate supplies of voter registration applications, declinations and change of address forms to enable the agency or department to fully comply with its obligations under 42 USC §1973gg-5. Forms shall be available in the same languages as the application for agency or department services generally.

SECTION 6. PLANNING

Each agency or department required to provide voter registration services pursuant to 42 USC § 1973gg-5 shall develop a plan designed to effectively and efficiently provide those services. The plan shall be developed in a process that provides for public participation. The plan shall take into account the experience of other states and shall

provide for procedures that have been demonstrated to be effective in achieving the purposes set forth in 42 USC § 1973gg(b).

SECTION 7. REVIEW AND EVALUATION

- 7.1 Each agency or department shall review its plan created pursuant to Section 6 at least every other year in order to determine what changes should be made to the plan to increase its effectiveness.
- 7.2 In evaluating a plan's effectiveness, each agency or department shall gather and analyze relevant numerical and statistical data relating to its implementation of NVRA. Each agency or department shall include in the data the number of applicants or clients who:
 - 7.2.1 complete a voter registration application, expressly decline the opportunity to register, do not respond and if the data is available, respond that they are already registered,
 - 7.2.2 requested a voter registration application but did not return it to department or agency staff; and,
 - 7.2.3 applied for benefits, recertified or renewed, or made a change of address as part of program covered by [CITATION].
- 7.3 In determining what changes in its procedures and practices that it should adopt to achieve the purposes of NVRA, each agency or department responsible for implementing NVRA shall seek and consider public comment.
- 7.4 Each agency and department shall determine how its operating processes and procedures including the technology that it employs could be better adapted to efficiently and effectively provide the services required under NVRA.

SECTION 8. VOTER REGISTRATION SERVICES.

Each agency or department required to provide voter registration services pursuant to 42 USC § 1973gg-5 shall, in addition to any other responsibility that it may have under NVRA, ensure that any individual who applies in person for its services is orally informed of the opportunity to register to vote and the availability of assistance in doing so. Additionally each agency and department that provides services telephonically, through the mail or over the Internet shall offer voter registration services on those occasions to the extent that such services are otherwise consistent with State law.

SECTION 9. TRAINING

Each agency or department responsible for implementing NVRA will take reasonable steps, including testing, to assure that all employees responsible for providing services

under NVRA are adequately instructed during regular training in the proper performance of those services.

SECTION 10. REPORTS TO GOVERNOR AND LEGISLATURE

Each agency or department with responsibilities under this Act shall provide the executive office of governor and each house of the state legislature by December 31st of each even-numbered year a report summarizing the steps that it has taken to implement this Act and the results of agency's or department's voter registration program, including a summary of the data required in Section 7.

SECTION 11. GENERAL PROVISIONS

- 11.1 In implementing this Act, each covered agency or department shall take necessary steps to ensure that no government employee shall:
- 11.1.1 attempt to influence an applicant's political preference or registration;
 - 11.1.2 display an political preference or allegiance;
 - 11.1.3 make any statement that would discourage an applicant from registering to vote; and
 - 11.1.4 make any statement that would lead an applicant to believe that a decision to register or not to register to vote has any bearing on the availability of service or assistance.
- 11.2 All actions taken pursuant to this Act shall be taken in compliance with existing law and regulation including those governing the use of information technology, person privacy and the dissemination of information.
- 11.3 This Act shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations. Nothing in this Act requires an appropriation specifically for the purpose of implementing this Act.