

# CALIFORNIA

## VOTER REGISTRATION

These resources are current as of 2/28/14. We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law. Please email us at [advocacy@afj.org](mailto:advocacy@afj.org).

### What's New in This Guide

The following changes/additions have been made since the previous version of this guide:

- ◆ Update on Same Day Voter Registration implementation in California.
- ◆ Updated "[Recent Legislation](#)"

This guide summarizes key aspects of laws governing voter registration on the *state* level. It is not intended to provide legal advice or to serve as a substitute for legal advice.

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.

## Table of Contents

- I. [Deadlines for Registration](#)
- II. [Photo ID Requirements](#)
- III. [Voter Registration Drives](#)
- IV. [Recent Legislation](#)

## DEADLINES FOR REGISTRATION

- **Deadline for registering**
  - The deadline to register to vote for an election is 15 days before each local and statewide Election Day. The affidavit of registration must be delivered to the county registrar by the 15<sup>th</sup> day prior to an election or, if mailed, postmarked on or before the 15<sup>th</sup> day prior to an election. [Cal. Elec. Code § 2102\(a\)\(1\)](#); § 2107. The state legislature [has approved](#) same-day voter registration, but it will not be implemented until 2016 at the earliest.
  - Note: Persons who become new citizens after the close of registration are entitled to register and vote at the registrar's office at any time between the 14<sup>th</sup> day and 7<sup>th</sup> day prior to Election Day. [Cal. Elec. Code § 3500](#). The new citizen must provide the registrar with proof of citizenship prior to voting and must declare that he or she has established residency in California. [Cal. Elec. Code § 3501](#).
- **Does state offer Election Day registration?**
  - The state legislature [has approved](#) same-day voter registration, but it will not be implemented [until 2016 at the earliest](#).
- **Does state allow by-mail registration?**
  - Yes. Persons may register or re-register to vote by mailing an affidavit of registration to the registrar. [Cal. Elec. Code § 2102](#).
- **May voters register before turning 18?**
  - Yes. Persons who will be at least 18 at the time of the next election are eligible to register to vote prior to their 18<sup>th</sup> birthday. [Cal. Elec. Code § 2101](#).

<b>PHOTO ID REQUIREMENTS</b>
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- **Required for registration? If so, what kinds of ID?**
  - No. The affidavit of registration only requires that an applicant provide either their California driver's license number or California state identification card number or, if they have neither, the last four digits of their Social Security number. Persons without this information can register to vote but may have to furnish ID when voting (see below). [Cal. Elec. Code §§ 2150](#); 2188; 2196.
- **Required for voting? If so, what kinds of ID?**
  - In most cases, no identification is required and a voter may simply state his or her name and address and sign the voter roster to obtain a ballot. [Cal. Elec. Code § 14216](#).

- Under the federal Help America Vote Act of 2002 (HAVA), persons who registered for the first time in a jurisdiction by mail without providing their driver's license number, state-identification card number, or Social Security number, will be asked to show an acceptable form of identification (see below) when they go to the polls, or to provide a copy of that identification with their absentee ballot.
- Under HAVA, these identification requirements do not apply to military and overseas voters who vote by mail.
- An original or copy of any of the following documents are permissible forms of proof of residence or identity:
  - (1) Current and valid photo identification that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents:
    - driver's license or identification card of any state;
    - passport;
    - employee identification card;
    - identification card provided by a commercial establishment;
    - credit or debit card;
    - military identification card;
    - student identification card;
    - health club identification card;
    - insurance plan identification card; or
    - public housing identification card.
  - (2) Any of the following documents, if they include the name and address of the individual presenting it, and is dated since the date of the last general election, unless the document is intended to be of a permanent nature (such as a pardon or discharge):
    - utility bill;
    - bank statement;
    - government check;
    - government paycheck;
    - document issued by a governmental agency;
    - sample ballot or other official elections document issued by a governmental agency dated for that election;
    - voter notification card issued by a governmental agency;

- public housing identification card issued by a governmental agency;
  - lease or rental statement or agreement issued by a governmental agency;
  - student identification card issued by a governmental agency;
  - tuition statement or bill issued by a governmental agency;
  - insurance plan card or drug discount card issued by a governmental agency;
  - discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter;
  - public transportation authority senior citizen and disabled discount cards issued by a governmental agency;
  - identification documents issued by governmental disability agencies;
  - identification documents issued by government homeless shelters and temporary or transitional facilities;
  - drug prescription issued by a government doctor or other governmental health care provider;
  - property tax statement issued by a governmental agency;
  - vehicle registration issued by a governmental agency; or
  - vehicle certificate of ownership issued by a governmental agency. See [2 CCR § 20107](#).
- **Requirement to provide proof of citizenship to register and/or vote?**
    - No. An individual may prove citizenship by his or her certification under penalty of perjury on the voter registration affidavit. [Cal. Elec. Code §§ 2111, 2112](#). Note that new citizens must provide the registrar with proof of citizenship prior to voting. [Cal. Elec. Code § 3501](#).

## VOTER REGISTRATION DRIVES

- **Does state accept National Voter Registration Act (NVRA) registration forms? Any restrictions?**
  - Yes, NVRA registration forms may be used to register voters. However, they may not be altered (unless authorized by the

Secretary of State), except that the mailing address may be inserted and postage affixed prior to distribution of the registration form. [Cal. Elec. Code § 2162](#).

- **May groups “cage” completed registration forms (i.e., ask voters to mail them back to the group, which will then send them to the appropriate elections registrar(s))? If so, may they copy the forms or any of data included on them? If so, any deadlines for sending the completed forms to the state or to local officials?**
  - Yes. Individuals *and* organizations may collect voter registration forms, but must return completed forms directly to county registrars or via postal service within three business days of receipt from a voter. [Cal. Elec. Code §§ 2138; 2158](#). All completed and unused registration forms in their possession must be returned to the county registrar by the close of registration. [Cal. Elec. Code § 2139](#).
  - Organizations collecting registration forms may copy the forms and data included on them, subject to prohibitions on the use of and/or release of confidential information obtained from them, and to the impermissible uses as established by the Secretary of State. Specifically, the Secretary of State regulations requires that voter registration information be used solely for election and governmental purposes, meaning that organizations would be prohibited from using this information for other advocacy purposes, such as grassroots lobbying. [Cal. Elec. Code §§ 2138.5, 2157.2; 2 CCR §§ 19002-4](#).
- **May a group “pre-fill” some or all of the form before sending/giving it to a would-be registrant?**
  - No. [Cal. Elec. Code § 2162\(b\)](#). Additionally, the affidavit portion of the form may only be completed by the registrant or by a person asked by the registrant to assist him or her. [Cal. Elec. Code § 2162\(c\); 2 CCR § 20001\(g\)\(2\)](#). If the voter registration card is mailed, the group may insert the mailing address and affix postage, prior to distributing the cards. [Cal. Elec. Code § 2162\(b\)](#).
- **May voter registration drive workers assist a voter in completing their registration form?**
  - Yes, but only if at the request of the elector. Additionally, the person assisting the elector must provide identifying information on the registration form. [Cal. Elec. Code §§ 2159; 2162\(c\)](#).
- **Does state require training of voter registration workers?**
  - No. However, a person or group that pays voter registration workers must provide each person with a written statement and obtain a signed acknowledgement that they received the statement

outlining their personal responsibilities and liabilities under the Elections Code. [Cal. Elec. Code § 2159.5\(a\)](#).

- **Does state require registration of voter registration drives? If so, for by-mail drives too?**
  - Organizations requesting 50 or more registration forms from a county registrar or Secretary of State must complete a Statement of Distribution form for every type of distribution method, including mail. See [2 CCR § 20001\(g\)](#).
- **Any requirement that group must provide information to voters about how they may contact the group to determine the status of their registration?**
  - No. However, a person returning a completed registration form on behalf of the registrant must provide the applicant with a tear-off stub from the registration form. See [Cal. Elec. Code § 2158](#).
- **May a group pay voter registration drive workers? If so, is it permissible to pay on a per-voter-registered basis?**
  - Yes. An organization may pay voter registration drive workers and may do so on a per-voter-registered basis. [Cal. Elec. Code §§ 2159, 2159.5](#).
  - The person or group that pays voter registration workers must also maintain a list of the names, addresses, and telephone numbers of all individuals paid to register voters. These records must be maintained for three years. [Cal. Elec. Code § 2159](#).

## RECENT LEGISLATION

SB 277 (Yee – 2013) ENACTED. Requires each Internet web site maintained by the state to include a hyperlink on the site's homepage to the online voter registration page of the Internet web site of the Secretary of State.

SB 111 (Beall – 2013) ENACTED. Authorizes certain registered voters to use a signature stamp if the voter submits an affidavit of registration electronically utilizing a signature stamp that has been approved by the Department of Motor Vehicles and transmitted to the Secretary of State.

SB 112 (Monning – 2013) ENACTED. Requires that voter registration card information that is in existence 100 years after the creation of the record be available to the public. Prohibits the disclosure of this information in certain circumstances.

AB 131 (Williams – 2013) ENACTED. Provides that an applicant's failure to furnish his or her place of birth shall not preclude his or her affidavit of voter registration from being deemed complete.

AB 149 (Weber – 2013) ENACTED. Requires each county probation department to either establish and maintain on the county probation department's Internet web site a hyperlink to the Secretary of State's voting rights guide for incarcerated persons or post a notice with the Internet web site address that contains the Secretary of State's voting rights guide for incarcerated persons in each probation office where probationers are seen.

SB 213 (Galgiani – 2013) ENACTED. Amends existing law that generally prohibits the circulation of initiative, referendum and recall petitions and nominating papers by a person who is not a resident of the state. Removes that prohibition.

AB 530 (Quirk-Silva – 2013) ENACTED. Creates an exception in existing law concerning Vote By Mail procedures, by authorizing a local elections official to offer a voter the ability to apply for a vote by mail voter's ballot by telephone. Requires a telephone applicant for a vote by mail voter's ballot to provide specified information to the elections official. Prohibits a person from applying for a vote by mail voter's ballot by telephone using the name of, or on behalf of, another person.

AB 817 (Bonta – 2013). ENACTED. Authorizes an elections official to appoint a person who is lawfully admitted in the United States and who is otherwise eligible to register to vote (i.e., a greencard holder), except for his or her lack of U.S. citizenship, to serve as a deputy registrar of voters or as a precinct board member. Provides that a nonvoter appointed to serve as a precinct board member is prohibited from serving as or performing the duties of the inspector of a precinct board, or from being used by the precinct board to tally votes.

## CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES

### Secretary of State's Office

Elections Division  
1500 11th Street, 5th Floor  
Sacramento, CA 95814  
Phone: (916) 657-2166  
Fax: (916) 653-3214  
E-Mail: [elections@sos.ca.gov](mailto:elections@sos.ca.gov)  
<http://www.sos.ca.gov/elections/elections.htm>

Alphabetical listing by county of California county elections officials:  
[http://www.sos.ca.gov/elections/elections\\_d.htm](http://www.sos.ca.gov/elections/elections_d.htm)

Interactive county map of California, with links to county elections officials' web sites:  
[http://www.sos.ca.gov/elections/ca\\_map\\_counties.html](http://www.sos.ca.gov/elections/ca_map_counties.html)

### Los Angeles County Registrar Recorder/County Clerk

12400 Imperial Highway  
Norwalk, CA 90650  
Phone: (562) 466-1310 or (800) 815-2666  
E-Mail: [voterInfo@rrcc.lacounty.gov](mailto:voterInfo@rrcc.lacounty.gov)  
Website: <http://www.lavote.net>

### County of San Diego Registrar of Voters

P.O. Box 85656  
San Diego, CA 92186-5656  
General Information: (858) 565-5800 or (800) 696-0136  
Fax: (858) 694-2955  
Email: [rovmail@sdcounty.ca.gov](mailto:rovmail@sdcounty.ca.gov)  
<http://www.sdcounty.ca.gov/voters/Eng/Eindex.html>

### Sacramento County Voter Registration and Elections Department

7000 65th St.  
Sacramento, CA 95823  
Phone: (916) 875-6451 or (916) 876-6688 (Spanish)  
California Relay Service English: (800) 735-2929  
Fax: (916) 875-6516  
Email: [mailto:voterinfo@saccountv.net](mailto:mailto:voterinfo@saccountv.net)

### City and County of San Francisco

Department of Elections  
City Hall - 1 Dr. Carlton B Goodlett Place, Room 48  
San Francisco, CA 94102-4635  
Phone: (415) 554-4375  
Fax: (415) 554-7344  
TTY: (415) 554-4386  
E-mail: [sfvote@sfgov.org](mailto:sfvote@sfgov.org)



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## **FOR FURTHER ASSISTANCE**

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**For assistance regarding state law in California, please contact:**

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