

# Texas Volunteer Deputy Registrar Guide

Office of the Secretary of State

www.sos.state.tx.us

Elections Division

1.800.252.VOTE (8683)

Dear Volunteer Deputy Registrar:

In 2017, the 85th Texas Legislature enacted, and the Governor signed, House Bill 2324 effective September 1, 2017. To be eligible to vote, a person must be registered 30 days before Election Day. House Bill 2324 amended Section 13.042(c) of the Texas Election Code (the “Code”) to provide that when you receive a completed application after the 34th day before the date of an election and on or before the last day for a person to timely submit a registration application for that election as provided by Section 13.143 of the Code, you must deliver the application to the county voter registrar no later than 5 p.m. of the next regular business day after the date to timely submit a registration application for that election as provided by Section 13.143 of the Code.

As a reminder, Senate Bill 142, which took effect June 20, 2015, provides an optional training method for the appointment of volunteer deputy registrars. Instead of holding in-person training sessions, a county **may** adopt a procedure that allows a person to review [training materials \(PDF\)](#) and [examination \(PDF\)](#) questions on the Secretary of State’s website. After the person reviews the training materials and examination questions, the person must appear in person at the voter registrar’s office, during regular business hours, to take the examination. Upon satisfactory completion of the examination, the voter registrar must appoint the person as a volunteer deputy registrar, and advise them of any county-specific procedures for completing the duties of a volunteer deputy registrar. Finally, the voter registrar must advise the newly appointed volunteer deputy registrar that the only requirements for voter registration are those prescribed by state law or by the Secretary of State.

Also as a reminder, House Bill 621, which became effective September 1, 2015, provides voter registrars the authority to

terminate the appointment of a volunteer deputy registrar who has been determined to have intentionally destroyed or physically altered a voter registration application, or has engaged in any other activity that conflicts with their responsibilities as a volunteer deputy registrar.

The acceptance of the duties of volunteer deputy registrar places you in a position of trust and responsibility to the citizens you will register to vote.

Please become familiar with this guide and carry it with you while you perform your duties. If, in the course of your service, a question should arise which you are unable to answer, please contact your county voter registrar or the Elections Division for assistance.

Thank you for your service to the State of Texas.

Office of the Secretary of State  
Elections Division

## **VOLUNTEER DEPUTY REGISTRAR GUIDE**

Volunteer Deputy Registrars are entrusted with the responsibility of officially registering voters in the State of Texas. They are appointed by county voter registrars and charged with helping increase voter registration in the state.

### **Qualifications**

To be appointed a volunteer deputy registrar, a person must:

- be at least 18 years old;
- be a United States citizen;
- not have been determined by a final judgment of a court exercising probate jurisdiction to be
  1. totally mentally incapacitated, or
  2. partially mentally incapacitated without the right to vote;
- never have been convicted of failing to deliver a voter application to a voter registrar;
- not have been finally convicted of a felony, or, if convicted, must have

1. fully discharged the sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court, or
  2. been pardoned or otherwise released from the resulting disability to vote;
- not have been finally convicted of identity theft under Section 32.51 of the Penal Code; and
  - be a resident of the State of Texas.

#### **How to Become a Volunteer Deputy Registrar**

- Contact the voter registrar in your county.
- The voter registrar will provide you with information about how training will be offered and completed.
- Upon satisfactorily completing training and examination, if required, the voter registrar will appoint you as a volunteer deputy registrar and advise you of any county-specific procedures for processing voter registration applications and that the only requirements for voter registration are those prescribed by state law or by the Secretary of State.
- The voter registrar will issue you a certificate of appointment and give you a receipt book or voter registration applications with a tear off receipt.
- You may not receive another person's voter registration application until you have completed the training developed or approved by the Secretary of State.

#### **Length of Appointment**

You may be appointed a volunteer deputy registrar at any time. However, your term expires on December 31 of the even-numbered year.

Your appointment as a volunteer deputy registrar **may** be terminated by the appointing authority if it is determined that you:

- failed to properly review a voter registration application;
- intentionally destroyed or physically altered a registration application; or
- engaged in any other activity that conflicts with your responsibilities as a volunteer deputy registrar.

Your appointment as a volunteer deputy registrar **will** be terminated by the appointing authority if:

- you are finally convicted of an offense under the law relating to delivery of completed voter registration applications to the registrar; or
- you are finally convicted of an offense under the law relating to performance-based compensation for voter registrations.

All election materials issued to a volunteer deputy registrar, including the certificate of appointment, receipt books, receipts, VR applications and other forms in the volunteer deputy registrar's possession, must be returned or accounted for upon termination of appointment.

#### **Role of a Volunteer Deputy Registrar**

### **Checklist**

Before you get started, be sure you have the following:

- A certificate of appointment;
- Plenty of voter registration applications;
- A pen;
- A receipt book; and
- This guide

### **Distributing and Accepting Applications**

You may distribute and accept a voter registration application from any resident of the county who:

- is a citizen of the United States;
- is at least 17 years and 10 months old to register, and must be 18 years of age by Election Day;
- has not been finally convicted of a felony, or if a felon, must have completed all of the punishment, including any term of incarceration, parole, supervision, period of probation, or must have received a pardon; and
- must not have been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally

incapacitated or partially mentally incapacitated without the right to vote.

You may also distribute and accept applications from current registered voters who wish to change or correct information on their voter registration certificate (such as name or address) by checking the “change” box on the application.

Your county voter registrar should provide you with applications containing the county return address. If your county voter registrar does not have enough applications to provide to you, you may print blank applications for volunteer deputy registrars from the Secretary of State’s website. These applications should only be distributed to applicants residing in the county. Should you receive generic applications containing the Secretary of State’s return address, you can distribute to anyone residing in any county; however, you can only accept applications from those registering within the county in which you were appointed.

### **Assisting Applicants**

- You may help a person fill out the application if he/she cannot read, or has a physical disability.
- If an applicant cannot sign his/her name on the application, the applicant may make a mark on the signature line. Print the name of the applicant beside the mark. Sign your name and address as the witness and state the reason the applicant is unable to sign.
- You may allow another registered voter (or anyone who has submitted a registration application) to fill out and sign an application for his/her spouse, parent or child. That person must sign the application as "agent" and state the relationship to the applicant on the application. The "agent" must have the permission of the applicant to do this.

### **Reviewing the Applications**

While the applicant is still in your presence, you must review the application for completeness. The following sections of the voter registration application must be completed:

- Section 1: Applicant must select why they are submitting the application (new application, change to current information or request for replacement). Applicant must also answer citizenship and age question;
- Section 2: Full name, including any middle, maiden, or former name;
- Section 3: Residence address must be a street address or a description of the location of the residence;
- Section 4: Valid mailing address, if mail can't be delivered to the residence address;
- Section 5: City and County of Former Residence in Texas;
- Section 6: Date of birth, including month, day, and year;
- Section 9: Texas Driver's License No., Texas Personal I.D. No. or last 4 digits of social security number. If the applicant hasn't been issued any of these items, he or she must check the box in this section affirming this statement; and
- Section 10: Signature of applicant and date of signing. Be sure the applicant has read the statements that he/she is signing regarding qualifications to register and if an agent is registering for an applicant, be sure the agent provides his/her relationship to the applicant.

You CANNOT:

- determine if the applicant is actually qualified to register to vote or
- make the applicant provide his/her gender or telephone number.

### **Registration Receipt**

For each completed voter registration application, fill out a receipt in duplicate and give each applicant the original receipt. The duplicate receipts must be delivered to the voter registrar along with the applications. You may wish to keep copies or stubs for your records. **You should not keep copies of the completed voter registration applications because these documents contain information that is confidential by law**

## **Delivery of Applications and Receipts**

You must deliver completed registration applications and receipts in person to the voter registrar no later than 5 p.m. on the 5th day after the date you receive them. FAILURE TO DELIVER AN APPLICATION IN A TIMELY MANNER IS A CRIMINAL OFFENSE.

**SPECIAL NOTE:** To be eligible to vote, a person must be registered 30 days before Election Day. House Bill 2324 (85th Legislature, RS, 2017), effective September 1, 2017, amended Section 13.042(c) of the Texas Election Code (the “Code”) to provide that when you receive a completed application after the 34th day before the date of an election and on or before the last day for a person to timely submit a registration application for that election as provided by Section 13.143 of the Code, you must deliver the application to the county voter registrar no later than 5 p.m. of the next regular business day after the date to timely submit a registration application for that election as provided by Section 13.143 of the Code.

### **When is the Registration Effective?**

- Tell the applicant that he/she can vote as soon as the 30th day after submitting the application. This 30-day waiting period starts when the volunteer deputy registrar receives the application form.
- If the applicant is under the age of 18, the registration will become effective on the 30th day after the voter registrar gets the application or on the applicant's 18th birthday, whichever comes later.

### **How long is the Registration Effective?**

Tell the applicant that the registration will be automatically renewed every even-numbered year unless:

- the voter moves to another address; or
- the voter receives a final felony conviction and has not completed the sentence, probation or parole or been otherwise pardoned or released from the resulting disability to vote. Note: “deferred adjudication” does not constitute a “final felony conviction.”

### **Address Changes**

If the voter moves within the county, he/she must update the address on the registration by:

- making the change on the back of the voter registration certificate and mailing it to the county voter registrar;
- submitting a new application to the voter registrar and check the box for "change"; or
- writing a letter to the voter registrar explaining the change of address.

If the voter moves to another county, he/she must register to vote in the new county of residence.

### **Name Changes**

Voters can make necessary name changes by:

- providing the name change on the back of his/her voter registration certificate and mailing it to the county voter registrar;
- submitting a new application to the voter registrar and check the box for "change"; or
- writing a letter to the voter registrar explaining the name change.

### **Frequently Asked Questions**

**Q: Must I personally be registered to vote in order to serve as a volunteer deputy registrar?**

**A:** No. Pursuant to Section 13.031(d)(3) of the Code to be eligible for appointment as a volunteer deputy registrar, a person must meet the requirements to be a qualified voter under Section 11.002 of the Code, except that the person is not required to be a registered voter.

**Q: I have been designated a deputy registrar from County X. I will be at an event that will have attendees from County X along with County Y and County Z. May I register people from County Y and County Z?**

**A:** No. Volunteer deputy registrar status is conferred on a county-by-county basis. To accept applications for Y or Z counties, you would have to become a volunteer deputy registrar for those counties. You could certainly give applications to the attendees from County Y and County Z and direct them to mail the application to the appropriate county voter registrar's office. Under Section 13.044 of the Code, a person commits a Class C misdemeanor by acting as a volunteer deputy registrar when he or she does not have an effective appointment as a deputy registrar.

**Q: May I photocopy a completed application before turning it in to the county voter registrar?**

**A:** No. Section 13.004(c-1) of the Code requires the county voter registrar to ensure that certain information, such as the telephone number, on a registration application is redacted from photocopies of voter registration applications from her office. In our opinion, this means that a photocopy of an application must come directly from the county voter registrar's office, so that he or she may ensure the required information has been blacked out or otherwise obscured. With that said, we believe that a volunteer deputy registrar may photocopy the receipt. You may also copy the relevant information from the application in writing just as you would be able to do if you went to the registrar's office and pulled a copy of the original application.

**Q: I am a candidate and/or working for a campaign. May I serve as a volunteer deputy registrar?**

**A:** Yes. There is no prohibition against a candidate or a campaign worker serving as a deputy registrar, as long as they otherwise meet the "Qualifications" described above and have been officially appointed as a volunteer deputy registrar. Similarly, there is no prohibition against a volunteer deputy registrar registering voters at a campaign rally or event. While working a rally or public event, a volunteer deputy registrar must offer registration to anyone who requests it.

**Q: Is there any way for me to become a statewide volunteer deputy registrar?**

**A:** No. Volunteer deputy registrar appointments are made on a county-by-county basis. Section 13.032 of the Code provides that a county may not refuse to appoint a resident of the county as a volunteer deputy registrar. A voter registrar may not refuse to appoint a volunteer deputy registrar on the basis of sex, race, color, creed, or national origin or ancestry.

**Q: Is there a minimum age to become a volunteer deputy registrar?**

**A:** Yes. A person must be at least 18 years of age to become a volunteer deputy registrar.

**Q: I just want to hand out blank voter registration application forms and encourage people to register to vote. Can I do that without being appointed as a volunteer deputy registrar?**

**A:** Yes. Anyone can hand out blank application forms to voters for the voters to fill out and mail in themselves. If this is all you want to do, you do not have to be a volunteer deputy registrar. Also, if you are already a volunteer deputy registrar in one county, you can hand out blank forms in other counties where you are not a volunteer deputy. It is the voter's handing the application back to you to review and to deliver to the registrar that triggers the requirement to be an authorized volunteer deputy registrar.

**Q: What if someone says he or she is already registered?**

**A:** You may wish to advise the person that the new application form will be treated as an update if the old registration is in the same county and the voter is providing new information. If the person moved to a new county, he or she will need to register to vote in the new county.

**Q: As a volunteer deputy registrar, may I appoint others to assist me in registering voters?**

**A:** No. Each volunteer deputy registrar must be appointed directly by the county voter registrar or that registrar's deputy in the voter registrar's office.

**Q: May a volunteer deputy registrar bundle completed applications and submit them to the voter registrar by mail?**

**A:** No. There are two methods for a volunteer deputy registrar to submit applications to the county voter registrar. First, the applications may be submitted by personal delivery by the volunteer deputy registrar. Second, the volunteer deputy registrar may give his or her applications to another volunteer deputy registrar for personal delivery to the county voter registrar.

**Q: I failed to submit the applications to the county voter registrar within the allotted period. What should I do now?**

**A:** Submit them to the county voter registrar as soon as possible. Under the law, the voter's registration is not impacted by your late delivery to the voter registrar. However, you should deliver them as soon as possible. Further delay will create problems in getting the lists ready in time for early voting and election day. **The registration process cannot be completed until you deliver the application.** The registration is still effective and the voter still receives the effective date of submission to you.

**Q: How long do I have to keep my receipt books?**

**A:** It is not addressed in the Code, but we would suggest that you should retain the receipt books for 22 months following the election closest to the effective date of the applications. Please communicate with your county voter registrar, who may have their own timeline of retaining the receipt books.

**Q: What if I was appointed but still have not gone through the training?**

**A:** Until you have completed the training, you may not receive any person's voter registration application. For more information, contact the Secretary of State's office or the Voter Registrar (who may be the County Clerk, Elections Administrator, or Tax Assessor-Collector) in your county.

**Q: If I have previously taken the volunteer deputy registrar examination and have received a certificate of appointment in**

**one county, but would like to be appointed as a volunteer deputy registrar in another county, am I required to take the examination again in the new county?**

A: No, you are not required to retake the examination in the new county if you previously took the exam and received a certificate of appointment in another county. You should complete and submit a Request for Appointment as a Volunteer Deputy Registrar with the new county. The voter registrar in the new county will appoint you as a volunteer deputy registrar and advise you of any county-specific procedures for completing the duties of a volunteer deputy registrar.

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This pamphlet is available in large print, or CD upon request.

SECRETARY OF STATE

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