



**Placer County Office of Elections**

# A Guide to Registering Voters

**Jim McCauley**

**Placer County Clerk-Recorder-Registrar of Voters**

**Office of Elections**

2956 Richardson Drive

Auburn CA 95603

PO Box 5278

Auburn CA 95604-5278

530-886-5650

Website: [www.placerelections.com](http://www.placerelections.com)

E-mail: [election@placer.ca.gov](mailto:election@placer.ca.gov)

# TABLE OF CONTENTS

|   |    |
|---|----|
| GENERAL INFORMATION.....  | 1  |
| IN ORDER TO REGISTER TO VOTE, A PERSON MUST:.....   | 2  |
| WHEN SHOULD VOTERS RE-REGISTER?.....  | 2  |
| WHO CAN REGISTER VOTERS.....  | 2  |
| HOW TO GET STARTED.....   | 3  |
| STATEWIDE VOTER REGISTRATION DATABASE–HELP AMERICA TO VOTE ACT (HAVA).....                | 4  |
| VOTER REGISTRATION FORM REQUIREMENTS.....   | 4  |
| TELEPHONE NUMBER AND ADDRESS OF PERSON ASSISTING WITH VOTER REGISTRATION REQUIREMENT..... | 6  |
| CONFIDENTIAL VOTER REGISTRATION INFORMATION.....  | 7  |
| IMPORTANT ELECTION CODE SECTIONS TO KNOW.....   | 8  |
| DETERMINATION OF RESIDENCE AND DOMICILE.....  | 12 |
| HOW TO COMPLETE A VOTER REGISTRATION CARD A STEP BY STEP GUIDE.....                       | 16 |

## GENERAL INFORMATION

This guide has been developed by the Placer County Office of Elections to help political parties, voter registration drive coordinators, petition management companies, circulators, and volunteers understand their responsibilities and requirements when helping citizens to register to vote.

The California Secretary of State has an Elections Fraud Investigation Unit that vigorously responds to possible violations of the California Elections Code and the Penal Code relating to election, voter registration, petition signature collection, and voter fraud. Placer County Office of Elections will submit possible fraudulent voter registration forms and/or violation of elections law to the Secretary of State for their review.

If you have questions or witness activity that you suspect may be improper, please contact the Secretary of State's Office at 916-657-2166 or 800-345-8683.

*This publication is for general information only and does not have the force and the effect of law, regulation or rule. In case of conflict, the law regulation or rule will control. Interested persons should obtain the most up-to-date information available because of possible changes in law or procedure since the publication of this document.*

## **IN ORDER TO REGISTER TO VOTE, A PERSON MUST:**

- Be a citizen of the United States.
- Be a resident of California.
- Be at least 18 years of age as of the day of the next election.

A person may not register to vote if they are imprisoned for a felony, on felony parole, or an appropriate court has deemed them mentally incompetent.

Documentation of proof of citizenship, residency or age is not required to register to vote. The statement on the voter registration card is signed by the voter under penalty of perjury and is sufficient. This is all the law requires. (Elections Code §2111, 2112) In addition, pursuant to Elections Code §2121 no fees may be charged for registration.

## **WHEN SHOULD VOTERS RE-REGISTER?**

- If they do not remember voting within the last five years.
- If they have moved since the last time they voted.
- If they wish to change their party affiliation.
- If they have changed their name.

## **WHO CAN REGISTER VOTERS**

Pursuant to Elections Code §2158, the Placer County Office of Elections will provide voter registration cards in sufficient quantities to individuals or organizations who wish to distribute such cards other than to persons who have been convicted of violating voter registration laws within the last five years. There are no statutory requirements specifying citizenship, age or other criteria for persons distributing registration cards.

Individuals and organizations shall be permitted to distribute voter registration cards anywhere within the county. Please be advised that distribution in front of a commercial business may require coordination with the management of the facility to determine appropriate places and times.

Pursuant to Elections Code §2158 (1) if after completing his or her voter registration affidavit, an elector entrusts it to another person, the latter shall sign and date the attached numbered receipt indicating his or her address and telephone number, if any, and give the receipt to the elector. Failure to comply with this paragraph shall not cause the invalidation of the registration of a voter.

Individuals or organizations who distribute voter registration cards shall give a voter registration card to any person who requests one.

If distribution of voter registration cards is undertaken by mailing cards to persons who have not requested the cards, the person mailing the cards shall enclose a cover letter

or other notice with each card instructing the recipients to disregard the card if they are currently registered to vote.

Every person who willfully violates the above code is guilty of an infraction, punishable by a fine not to exceed \$200. (Elections Code §18107)

## HOW TO GET STARTED

1. Come to the Placer County Office of Elections located at 2956 Richardson Drive in Auburn.
2. There is no charge for voter registration cards and the return postage is paid by the California Secretary of State.
3. Any individual or organization may obtain up to 50 voter registration cards simply by asking.
4. If an individual or organization wishes to obtain more than 50 voter registration cards, they must complete the "Voter Registration Card Statement of Distribution" form. This form is provided by the Placer County Office of Elections and requires the name of the organization, address, telephone number, and name of the individual requesting the cards as well as a brief explanation of how the cards are to be distributed.
5. If 2,000 or more voter registration cards are requested, a copy of the "Voter Registration Card Statement of Distribution" will be forwarded to the Secretary of State by the Office of Elections. (California Administrative Code §20001 (g))

The Affidavit of Registration is a legal document that must be used and processed with care.

- ✓ Have the voter complete the voter registration card accurately using their current information.
- ✓ Print legibly using blue or black ink.
- ✓ Correct an error by having the voter draw one line through the error and printing the correction above it.
- ✓ Correct an error to a political party choice by having the voter draw a line through the error. The voter should fill in the oval next to their party choice and initial it.

### **Please be reminded that.....**

- Voter registration cards are not to be given to other groups or organizations that have not been authorized to distribute cards by the Placer County Office of Elections.
- The party preference area of the voter registration card should not be completed in advance.
- Voters cannot use a mail drop address as a residence address.
- Voters cannot use a PO Box as a residence address.

- A voter can only complete a voter registration card for themselves, and cannot register their spouses or members of the same household. Each voter must complete and sign their own voter registration card.

## **STATEWIDE VOTER REGISTRATION DATABASE–HELP AMERICA TO VOTE ACT (HAVA)**

There are several legal requirements related to voter registration that went into effect January 1, 2006. Some of those requirements are contained in Elections Code § 2150 and HAVA Section 303 (a) (5) (A).

In order for a voter registration affidavit to be accepted and processed, the voter must provide a current and valid California drivers license or state ID number if they have been issued one. If they do not have a California driver's license or California state ID number, they must provide the last four digits of their social security number. Either number will be verified by the California Secretary of State through the statewide voter registration database. If the voter has not been issued a valid driver's license or a social security number, the State shall assign the voter a number which will serve to identify the voter for voter registration purposes. The number assigned under this clause shall be the unique identifying number.

If the voter does not provide the required information, **do not** hold the completed voter registration card and **do not** attempt to contact the voter for the missing information. The Placer County Office of Elections will make any necessary follow-up contact with the voter.

## **VOTER REGISTRATION FORM REQUIREMENTS**

### **County elections official to provide voter registration cards. Elections Code §2158**

In addition to registration conducted by deputy registrars of voters, the county elections official shall, do all of the following:

(a) Provide voter registration cards for the registration of voters at his or her office and in sufficient number of locations throughout the county for the convenience of persons desiring to register, to the end that registration may be maintained at a high level.

(b) Provide voter registration cards in sufficient quantities to any citizens or organizations who wish to distribute the cards other than to persons who have been convicted of violating this section within the last five years. Citizens and organizations shall be permitted to distribute voter registration cards anywhere within the county.

(1) If, after completing his or her voter registration affidavit, an elector entrusts it to another person, the latter shall sign and date the attached, numbered receipt indicating his or her address and telephone number, if any, and give the receipt to the elector. Failure to comply with this paragraph shall not cause the invalidation of the registration of a voter.

(2) Any citizen or organization that distributes voter registration cards shall give a voter registration card to any elector requesting it, provided that the citizen or organization has a sufficient number of cards.

(3) If distribution of voter registration cards pursuant to this subdivision is undertaken by mailing cards to persons who have not requested the card, the person mailing the card shall enclose a cover letter or other notice with each card instructing recipients to disregard the card if they are currently registered to vote.

(c) Mail a voter registration card immediately to any person who wishes to register to vote and requests a voter registration card.

### **Affidavit of Registration. Elections Code §2150**

(a) The affidavit of registration shall show:

(1) The facts necessary to establish the affiant as an elector.

(2) The affiant's name at length, including his or her given name, and a middle name or initial, or if the initial of the given name is customarily used, then the initial and middle name. The affiant's given name may be preceded, at affiant's option, by the designation of Miss, Ms., Mrs., or Mr. A person shall not be denied the right to register because of his or her failure to mark a prefix to the given name and shall be so advised on the voter registration card. This subdivision shall not be construed as requiring the printing of prefixes on an affidavit of registration.

(3) The affiant's place of residence, residence telephone number, if furnished, and e-mail address, if furnished. No person shall be denied the right to register because of his or her failure to furnish a telephone number or e-mail address, and shall be so advised on the voter registration card.

(4) The affiant's mailing address, if different from the place of residence.

(5) The affiant's date of birth to establish that he or she will be at least 18 years of age on or before the date of the next election. In the case of an affidavit of registration submitted pursuant to subdivision (d) of section 2102, the affiant's date of birth to establish that he or she is at least 17 years of age.

(6) The state or country of the affiant's birth.

(7) (A) In the case of an applicant who has been issued a current and valid driver's license, the applicant's driver's license number.

(B) In the case of any other applicant, other than an applicant to whom subparagraph (C) applies, the last four digits of the applicant's social security number.

(C) If an applicant for voter registration has not been issued a current and valid driver's license or a social security number; the state shall assign the applicant a number that will serve to identify the applicant for voter registration purposes. To the extent that the state has a computerized list in effect under this subdivision and the list assigns unique identifying numbers to registrants, the number assigned under this subparagraph shall be the unique identifying number assigned under the list.

(8) The affiant's political party preference.

(9) That the affiant is currently not imprisoned or on parole for the conviction of a felony.

(10) A prior registration portion indicating whether the affiant has been registered at another address, under another name, or preferring another party. If the affiant has been so registered, he or she shall give an additional statement giving that address, name, or party.

(b) The affiant shall certify the content of the affidavit as to its truth and correctness, under penalty of perjury, with the signature of his or her name and the date of signing. If the affiant is unable to write he or she shall sign with a mark or cross.

(c) The affidavit of registration shall also contain a space that would enable the affiant to state his or her ethnicity or race, or both. An affiant may not be denied the ability to register because he or she declines to state his or her ethnicity or race.

(d) If any person, including a deputy registrar, assists the affiant in completing the affidavit, that person shall sign and date the affidavit below the signature of the affiant.

(e) The affidavit of registration shall also contain a space to permit the affiant to apply for permanent vote by mail status.

(f) The Secretary of State may continue to supply existing affidavits of registration to county elections officials prior to printing new or revised forms that reflect the changes made to this section by the act that added this subdivision.

## **TELEPHONE NUMBER AND ADDRESS OF PERSON ASSISTING WITH VOTER REGISTRATION REQUIREMENT**

### **Telephone number and address of person or organization who pays money for completed affidavit of registration. Elections Code §2159**

(a) Notwithstanding paragraph (1) of subdivision (b) of Section 2158, any person who, in exchange for money or other valuable consideration, assists another to register to vote by receiving the completed affidavit of registration from the elector, shall sign in his handwriting and affix directly on the affidavit of registration his or her full name, telephone number, and address, and the name and telephone number of the person, company, or organization, if any, that agrees to pay money or other valuable consideration for the completed affidavit of registration. Failure to comply with this section shall not cause the invalidation of the registration of the voter.

(b) Any person who in exchange for money or other valuable consideration assists another to register to vote by receiving the completed affidavit of registration from the elector, and knowingly misrepresents himself or herself as having helped register another to vote on a registration form is guilty of a misdemeanor, pursuant to Section 18108.1

### **Requirements for paying for assisting persons to register to vote. Elections Code §2159.5**

Any person, company, or other organization that agrees to pay money or other valuable consideration, whether on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration, shall do all of the following:

(a) Maintain a list of the names, addresses, and telephone numbers of all individuals that the person, company, or other organization has agreed to compensate for assisting others to register to vote, and shall provide to each person receiving that consideration a written statement of that person's personal responsibilities and liabilities under Sections 2138, 2139, 2150, 2158, 2159, 18100, 18101, 18103, 18106, 18108, 18108.1, and 18108.5. Receipt of the written statement shall be acknowledged, in writing, by the person receiving the consideration, and the acknowledgment shall be kept by the

person, company, or organization that agrees to compensate that person. All records required by this subdivision shall be maintained for a minimum of three years, and shall be made available to the elections official, the Secretary of State, or an appropriate prosecuting agency, upon demand. As an alternate to maintaining the records required by this subdivision, the records may be filed with the county elections official, who shall retain those records for a minimum of three years. The county elections official may charge a fee, not to exceed actual costs, for storing records pursuant to this subdivision.

(b) Not render any payment or promised consideration unless the information specified in Section 2159 has been affixed personally on the affidavit in the handwriting of the person with whom the agreement for payment was made.

(c) At the time of submission of affidavits to elections officials, identify and separate those affidavits into groups that do and that do not comply with the requirements of Sections 2150 and 2159. A signed acknowledgment shall be attached to each group of affidavits identifying a group as in compliance with Sections 2150 and 2159, and a group as not in compliance with either Section 2150 or 2159, or both.

(d) Failure to comply with this section shall not cause the invalidation of the registration of the voter.

## **CONFIDENTIAL VOTER REGISTRATION INFORMATION**

Pursuant to Elections Code § 2187, 2188, and 2194, voter registration information is available to persons or groups for election, scholarly, journalistic or political purposes or governmental proposes, as determined by the Secretary of State. Each request to view, purchase, or use voter registration information must be submitted on an application form available at the Placer County Office of Elections located at 2956 Richardson Drive in Auburn or online at [www.placerelections.com](http://www.placerelections.com).

### **Voter information not to be sent outside the United States. Elections Code §2188.5**

(a) A person who requests voter information pursuant to Section 2188 or who obtains signatures or other information collected for an initiative, referendum, or recall petition shall not send that information outside of the united States or make it available in any way electronically to persons outside of the United States, including, but not limited to, access over the internet.

(b) (b) For purposes of this section, “United States” includes each of the several states of the United States, the District of Columbia, and the territories and possessions of the United States.

### **Return of completed affidavits of registration. Election Code §2138**

Individuals and organizations distributing voter registration cards pursuant to subdivision (b) of Section 2158 and who receive completed voter registration cards from voters shall return the completed cards to the county elections official or shall deposit cards in the postal service within three days, excluding Saturdays, Sundays, and state holidays, of receipt from a voter.

### **Confidential information. Election Code §2138.5**

Notwithstanding any other provision of law, an affiant's driver's license number, identification card number, and social security number, contained on an affidavit of registration or voter registration card, are confidential and shall not be disclosed by an individual or organization that distributes voter registration cards pursuant to subdivision (b) of Section 2158, or by any person entrusted with an affidavit of registration from an elector pursuant paragraph (1) of subdivision (b) of Section 2158. However, this section shall not be construed to prohibit a person entrusted with an affidavit of registration from an elector pursuant to paragraph (1) of subdivision (b) of Section 2158 from returning that affidavit to the person or organization that distributed the voter registration card pursuant to subdivision (b) of Section 2158.

**Misuse of voter information. Elections Code §18109**

Makes it a misdemeanor for any person in possession of information obtained pursuant to the law to knowingly use or permit the use of all or any part of the information for any purpose other than those permitted by law.

Further, it is a misdemeanor for any person knowingly to acquire possession or use of voter registration information referred to above without first complying with Section 2188.

**IMPORTANT ELECTION CODE SECTIONS TO KNOW**

**Last day to register to vote. Elections Code §2102**

(a) A person may not be registered as a voter except by affidavit of registration. The affidavit shall be mailed or delivered to the county elections official and shall set forth all of the facts required to be shown by this chapter. A properly executed registration shall be deemed effective upon receipt of the affidavit by the county elections official if received on or before the 15<sup>th</sup> day prior to an election to be held in the registrant's precinct. A properly executed registration shall also be deemed effective upon receipt of the affidavit by the county elections official if any of the following apply:

(1) The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the county elections official.

(2) The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg) on or before the 15th day prior to the election.

(3) The affidavit is delivered to the county elections official by means other than those described in paragraphs (1) or (2) on or before the 15th day prior to the election.

(b) For purposes of verifying signatures on a recall, initiative, or referendum petition or signatures on a nomination paper or any other election petition or election paper, a properly executed affidavit of registration shall be deemed effective for verification purposes if both (a) the affidavit is signed on the same date or a date prior to the signing of the petition or paper, and (b) the affidavit is received by the county elections official on or before the date on which the petition or paper is filed.

(c) Notwithstanding any other provision of law to the contrary, the affidavit of registration required under this chapter may not be taken under sworn oath, but the

content of the affidavit shall be certified as to its truthfulness and correctness, under penalty of perjury, by the signature of the affiant.

**Time affidavits of registration accepted; effective date. Elections Code §2107**

(a) Except as provided in subdivision (b), the county elections official shall accept affidavits of registration at all times except during the 14 days immediately preceding any election, when registration shall cease for that election as to electors residing in the territory within which the election is to be held. Transfers of registration for an election may be made from one precinct to another precinct in the same county at any time when registration is in progress in the precinct to which the elector seeks to transfer.

(b) The county elections official shall accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15th day prior to the election, and if any of the following apply:

(1) The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the county elections official.

(2) The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the election.

(3) The affidavit is delivered to the county elections official by means other than those described in paragraphs (2) and (3) on or before the 15th day prior to the election.

**Registration of persons not entitled to register. Elections Code §18100**

(a) Every person who willfully causes, procures, or allows himself or herself or any other person to be registered as a voter, knowing that he or she or that other person is not entitled to registration, is punishable by imprisonment in the state prison for 16 months or two or three years, or in a county jail for not more than one year.

(b) Every person who knowingly and willfully signs, or causes or procures the signing of, an affidavit of registration of a nonexistent person, and who mails or delivers, or causes or procures the mailing or delivery of, that affidavit to a county elections official is guilty of a crime punishable by imprisonment in the state prison for 16 months or two or three years, or in a county jail for not more than one year. For purposes of this subdivision, "nonexistent person" includes, but is not limited to, deceased persons, animals, and inanimate objects.

**Registration of fictitious person. Elections Code §18101**

Every person who knowingly and willfully completes, or causes or procures the completion of, in whole or in part, an affidavit of registration or a voter registration card, with the intent to cause the registration or reregistration as a voter of a fictitious person or of any person who has not requested registration or reregistration as a voter, is guilty of a crime punishable by imprisonment in the state prison for 16 months or two or three years, or in a county jail for not more than one year.

**Registration of nonexistent person. Elections Code §18102**

Any deputy elections official or registration elections official who knowingly registers a nonexistent person, knowingly registers a person under a false name or address, or knowingly registers a person who is ineligible to register is punishable by imprisonment

in the state prison for 16 months or two or three years or in county jail for not more than one year.

**Interference with transfer of affidavit to county elections official. Elections Code §18103**

Any person who knowingly or negligently (a) interferes with the prompt transfer of a completed affidavit of registration to the county elections official, (b) retains a voter's completed registration card, without the voter's authorization, for more than three days, excluding Saturdays, Sundays, and state holidays, or after the close of registration, or (c) denies a voter the right to return to the county elections official the voter's own completed registration card, is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).

**Refusal to return affidavits of registration. Elections Code §18104**

Any deputy registrar of voters having charge of affidavits of registration is guilty of a misdemeanor who knowingly neglects or refuses to return affidavits of registration as provided in Article 3 (commencing with Section 2135) of Chapter 2 of Division 2. The county elections official shall report to the district attorney of the county, under oath, the names of any deputies who have failed to return the affidavits. The district attorney shall take appropriate civil or criminal action.

**Writing or affixing political statements on affidavits of registration. Elections Code §18105**

No affidavit of registration or voter registration card shall contain, and no person other than the registrant shall write on or affix thereto, or cause to be written on or affixed thereto, any statement urging or indicating support or opposition to any candidate or measure. Any person who violates this section is guilty of a misdemeanor.

**Alteration of affidavit party affiliation. Elections Code §18106**

Every person is punishable by imprisonment in the state prison for 16 months or two or three years or in the county jail for not more than one year who, without the specific consent of the affiant, willfully and with the intent to affect the affiant's voting rights, causes, procures, or allows the completion, alteration, or defacement of the affiant's party affiliation declaration contained in an executed, or partially executed, affidavit of registration pursuant to subdivision (h) of Section 2150 and Section 2151. This section shall not apply to a county elections official carrying out his or her official duties.

**Fine for failure to provide voter registration card. Elections Code §18107**

Every person who willfully violates Section 2158 is guilty of an infraction, punishable by a fine not to exceed two hundred dollars (\$200).

**Penalties for not complying with section 2159 when registering voters. Elections Code §18108**

(a) Except as provided in subdivision (c), any person who receives money or other valuable consideration to assist another to register to vote by receiving the completed affidavit of registration from the elector, and fails to comply with Section 2159, is guilty

of a misdemeanor, and shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months or when the failure to comply is found to be willful, not exceeding one year, or both.

(b) Any person who receives money or other valuable consideration to assist another to register to vote by receiving the completed affidavit of registration from the elector, upon a third or subsequent conviction, on charges brought and separately tried, for failure to comply with Section 2159 shall be punished by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the county jail not to exceed one year, or both.

(c) This section shall not apply to any public agency or its employees that is designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg), when an elector asks for assistance to register to vote during the course and scope of the agency's normal business.

### **Misrepresentation as having helped register another is a misdemeanor. Elections Code §18108.1**

(a) Except as provided in subdivision (c), any person who receives money or other valuable consideration to assist another to register to vote by receiving the completed affidavit of registration from the elector, and knowingly misrepresents himself or herself as having helped register another to vote on a registration form, pursuant to Section 2159, is guilty of a misdemeanor, and shall be punished by a fine not exceeding one thousand dollars (\$1,000), by imprisonment in the county jail not exceeding six months, or by both the fine and imprisonment.

(b) Any person who receives money or other valuable consideration to assist another to register to vote by receiving the completed affidavit of registration from the elector, upon a third or subsequent conviction, on charges brought and separately tried, for misrepresenting himself or herself as having helped register another to vote on a registration form, pursuant to Section 2159, shall be punished by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

(c) This section shall not apply to any public agency or its employees that is designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg), when an elector asks for assistance to register to vote during the course and scope of the agency's normal business.

### **Penalties for failure to comply with section 2159.5. Elections Code §18108.5**

(a) Any person, company, or other organization that agrees to pay money or other valuable consideration, whether on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration who fails to comply with Section 2159.5, is guilty of a misdemeanor, and shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months or when the failure to comply is found to be willful, not exceeding one year, or both.

(b) Any person, company, or other organization that agrees to pay money or other valuable consideration, whether on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of

registration, upon a third or subsequent conviction, on charges brought and separately tried, for failure to comply with Section 2159.5 shall be punished by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the county jail not to exceed one year, or both.

(c) An elections official shall notify any person, company, or other organization that agrees to pay money or other valuable consideration, whether on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration, that three or more affidavits of registration submitted by a person who assisted another to register to vote do not comply with Sections 18100, 18101, 18103, or 18106. The elections official may forward a copy of each of the non-complying affidavits of registration to the district attorney, who may make a determination whether probable cause exists to believe that a violation of law has occurred.

(d) This section shall not apply to any public agency or its employees that is designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg), when an elector asks for assistance to register to vote during the course and scope of the agency's normal business.

#### **Misuse of information: misdemeanor. Elections Code §18109**

(a) It is a misdemeanor for any person in possession of information obtained pursuant to Article 5 (commencing with Section 2180) of Chapter 2 of Division 2, or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.

(b) It is a misdemeanor for any person knowingly to acquire possession or use of voter registration information referred to in subdivision (a) without first complying with Section 2188.

#### **Incentives for registering to vote. Federal Law: 42 U.S.C. §1973i(c)**

Makes it unlawful in an election in which a federal candidate is on the ballot, to knowingly and willfully pay, offer to pay, or accept payment for falsely registering to vote or for voting. Violations are punishable by fine and/or imprisonment for up to five years.

## **DETERMINATION OF RESIDENCE AND DOMICILE**

#### **Term of domicile. Elections Code §2020**

The term of domicile is computed by including the day on which the person's domicile commenced and by excluding the day of the election.

#### **Person away for temporary purposes. Elections Code §2021**

(a) A person who leaves his or her home to go into another state or precinct in this state for temporary purposes merely, with the intention of returning, does not lose his or her domicile.

(b) A person does not gain a domicile in any precinct into which he or she comes for temporary purposes merely, without the intention of making that precinct his or her home.

**Move to another state. Elections Code §2022**

If a person moves to another state with the intention of making it his or her domicile, the voter loses his or her domicile in this state.

**Move to another state. Elections Code §2023**

If a person moves to another state as a place of permanent residence, with the intention of remaining there for an indefinite time, he or she loses his or her domicile in this state, notwithstanding that he or she intends to return at some future time.

**Intention and fact or removal. Elections Code §2024**

The mere intention to acquire a new domicile, without the fact of removal avails nothing; neither does the fact of removal without the intention.

**Employment in the service of the United States; navigation; institution. Elections Code §2025**

A person does not gain or lose a domicile solely by reason of his or her presence or absence from a place while employed in the service of the United States or of this state, nor while engaged in navigation, nor while a student of any institution of learning, nor while kept in an almshouse, asylum or prison. This section shall not be construed to prevent a student at an institution of learning from qualifying as an elector in the locality where he or she domiciles while attending that institution, when in fact the student has abandoned his or her former domicile.

**Domicile of legislative member or congressional representative. Elections Code §2026**

The domicile of a Member of the Legislature or a Representative in the Congress of the United States shall be conclusively presumed to be at the residence address indicated on that person's currently filed affidavit of registration.

**Domicile of family; residence in trailer. Elections Code §2027**

The place where a person's family is domiciled is his or her domicile unless it is a place for temporary establishment for his or her family or for transient objects. Residence in a trailer or vehicle or at any public camp or camping ground may constitute a domicile for voting purposes if the registrant complies with the other requirements of this article.

**Place of family business. Elections Code §2028**

If a person has a family fixed in one place, and he or she does business in another, the former is his or her place of domicile, but any person having a family, who has taken up an abode with the intention of remaining and whose family does not so reside with him or her, is a domiciliary where he or she has so taken up the abode.

**Domicile of spouse. Elections Code §2029**

The domicile of one spouse shall not be presumed to be that of the other, but shall be determined independently in accordance with this article.

**Marriage to a person employed in the service of the United States. Elections Code §2030**

A domiciliary of this state who marries a person employed temporarily in this state in the service of the United States government, may elect to retain his or her domicile for the purpose of qualifying as an elector only, except that his or her domicile in this state shall terminate if the domiciliary qualifies as an elector in any other state or any territory.

**Homeowner's property tax exemption; renter's tax credit; driver's license Elections Code §2031.**

If a person has more than one residence and that person maintains a homeowner's property tax exemption on the dwelling of one of the residences pursuant to Section 218 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the homeowner's property tax exemption is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card or vehicle registration issued to that person by, and on file with, the Department of Motor Vehicles.

If a person has more than one residence and that person claims a renter's tax credit for one of the residences pursuant to Section 17053.5 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the renter's tax credit is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card, or vehicle registration issued to that person by, and on file with, the Department of Motor Vehicles. This section shall not be applicable to state or federal elected officials.

**More than one residence. Elections Code §2032**

Except as provided in this article, if a person has more than one residence and that person has not physically resided at any one of the residences within the immediate preceding year, there shall be a rebuttable presumption that those residences in which he or she has not so resided within the immediate preceding year are merely residences as defined in subdivision (c) of Section 349 and not his or her domicile.

**Change of house number. Elections Code §2033**

Whenever the house number or the mailing address of a voter has been changed and the voter's domicile is the same, the public agency authorizing the change shall notify the county elections official in writing of the change and the county elections official shall make the change on the voter's affidavit of registration and a new affidavit shall not be required.

**Domicile in more than one precinct. Elections Code §2034**

A person domiciled in a house or apartment lying in more than one precinct shall be registered as domiciled in the precinct designated by the county elections official on the basis of the street address or other precinct the county elections official considers appropriate unless the person requests, either by letter or in person at the office of the county elections official, that he or she wishes to be domiciled for registration purposes in another precinct in which his or her house or apartment lies. In order to fulfill the

requirements of this section, the letter of request shall include the name, signature, and residence address of the requester.

**Voter residence change 14 days prior to an election. Elections Code §2035**

A person duly registered as a voter in any precinct in California who removes therefrom within 14 days prior to an election shall, for the purpose of that election, be entitled to vote in the precinct from which the person so removed until the close of the polls on the date of that election.

## HOW TO COMPLETE A VOTER REGISTRATION CARD A STEP BY STEP GUIDE

|                 |   |
|-----------------|---|
| Box 1           | Voter's legal name: First name. Middle Name (Information should match the name on their California Drivers License)   |
| Box 2           | Voter's Last Name   |
| Box 3           | Darken or check the box next to Mr., Mrs., Miss, or Ms., (optional)   |
| Box 4           | Voter's home address – (not a PO Box or business address) Number, Street, Ave, Drive, etc. Include N, S, E, W). Apt or unit #   |
| Box 5           | City, Zip, California County  |
| Box 6           | If the voter doesn't have a street address, the voter should describe where they live (cross streets, route, N, S, E, W)  |
| Box 7           | Voter's mailing address if different from residential or is a PO Box  |
| Box 8           | City, State, Zip, Foreign country   |
| Box 9           | Voter's complete date of birth: month, day and year   |
| Box 10          | Voter's U.S. state or foreign country of birth  |
| Box 11          | Voter's CA driver's license or CA ID card # If they do <b>not</b> have a CA driver's license or a CA ID card, list the last 4 numbers of their Social Security Number, if they have one (both can be left blank if necessary)   |
| Box 12          | Voter's Email (optional)  |
| Box 13          | Voter's phone number (optional). Phone numbers are posted at polling places on election day.  |
| Box 14          | Voter's party preference. Do you want to choose a political party preference? <b>No Party Preference.</b> No, I do not want to choose a political party preference. <i>(If you check this box you may not be able to vote for some parties' candidates at a primary election for U.S. President or party committee.)</i> <b>Yes</b> , my political party preference is (check one)                                  |
| Box 15          | <b>To receive a vote-by-mail ballot in all elections</b> , voter initial here.  |
| Box 16          | If you were registered to vote before, fill out below: First name. Middle Initial. Last name. Previous address where you were registered. City, State, Zip, previous county. Previous political party preference (if any)   |
| Box 17          | Are you a U.S. citizen? Have the voter darken or check the box next to the Yes or No. A "NO" answer means you <b>CANNOT</b> register to vote. Will you be 18 or older by the next Election? Have the voter darken or check the box next to the Yes or No. A "NO" answer means the voter <b>CANNOT</b> register to vote. Submit the completed form to the Registrar of Voters even though the voter is not eligible. |
| Box 18          | Have voter read declaration, sign and date the form   |
| Optional Survey | A. Have the voter darken or check the box to become a poll worker. (If bilingual, indicate language) Have the voter darken or check the box if they can provide a polling place on Election Day.<br>B. Voter's ethnicity/race.  |

|               |   |
|---------------|---|
| Questionnaire | C. Have the voter darken or check the box of their language preference.   |
| Receipt       | Persons who receive the registration form from the voter in order to return it to the elections official, must complete both parts of the green box in his/her own hand and provide the applicant with the affidavit receipt from the bottom of the form. |
| Double check  | <b>Double check the affidavit to make sure that it is correctly and completely filled out before the voter leaves.</b>  |

The validity of an affidavit is determined by the county election official. Complete or incomplete affidavits of registration must be turned in to a county elections official or mailed within 72 hours. The 72 hour deadline excludes Saturdays Sundays, and state holidays. Elections Code §2138

An individual or an organization that distributes or receives the Affidavits of Registration must not attempt to contact the voter for missing or incomplete information. The Placer County Office of Elections will contact voters if necessary.

Please contact the Placer County Office of Elections if you have any questions at 530-886-5650 or in California at 800-824-8683 or by e-mail at [election@placer.ca.gov](mailto:election@placer.ca.gov).