Motor Voter Fact Sheet

State and federal statute require “state funded programs primarily engaged in providing services to people with disabilities to offer and assist with voter registration.” This requirement is found in the National Voter Registration Act (NVRA) of 1993 and in Utah Code § 20A-2-205. The Utah Code mirrors the NVRA and lists requirements that apply to these programs which are referred to as a “public assistance agency”. This factsheet summarizes the Utah Code.

WRITTEN STATEMENTS

A statement should be included on a form distributed to applicants or participants that reads:

“REGISTRATION TO VOTE If you are not registered to vote where you live now, would you like to apply to register or preregister to vote here today? (The decision of whether to register or preregister to vote will not affect the amount of assistance that you will be provided by this agency.) Yes____ No____

IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER OR PREREGISTER TO VOTE AT THIS TIME. If you would like help in filling out the voter registration form, we will help you. The decision about whether to seek or accept help is yours. You may fill out the application form in private. If you believe that someone has interfered with your right to register or preregister or to decline to register or preregister to vote, your right to privacy in deciding whether to register or preregister, or in applying to register or preregister to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Office of the Lieutenant Governor, State Capitol Building, Salt Lake City, Utah 84114. (The phone number of the Office of the Lieutenant Governor).”

PROVIDING ASSISTANCE

For anyone that does not decline (in writing) to register to vote the agency should:

1. Distribute a by-mail a voter registration form with each application for service.
2. Assist applicants in completing the voter registration form (unless they refuse assistance)
3. Accept completed forms.
4. Transmit completed registration forms to the appropriate election official within five days after it is received.

Note: if services are provided at a person’s home, the agency shall provide voter registration forms and assistance at the person’s home.

REMAINING NON-PARTISAN

Public assistance agency personnel that help individuals complete the voter registration form may not:

• Seek to influence an applicant’s political preference or party registration
• Display any political preference or party allegiance
• Make any statement to the applicant or take action that has the purpose or effect of 1) discouraging the applicant from registering to vote; or, 2) leading the applicant to believe that the decision whether to register to vote will impact their services or benefits.
The Disability Law Center (DLC) is a private, non-profit organization, designated by the governor as Utah's Protection and Advocacy agency. The DLC believes in a society where abilities, rather than disabilities, are recognized; all people have an equal opportunity to participate; and where all people are treated with equity, dignity, and respect. We work toward our vision by enforcing and advancing the legal rights, choices, and opportunities of Utahns with disabilities. DLC services are available free of charge statewide, regardless of income, legal status, language, or place of residence.

If you have further questions, please contact us. Even though our focus is on cases that can help as many people as possible - because time and resources are limited - we at least offer information and/or referral options to everyone who contacts us. Materials are also available in alternative formats such as audio, large-print, Braille and Spanish. Call (800) 662-9080 or apply for help online, and our staff will contact you within 1-3 business days.

View this Resource Online

https://disabilitylawcenter.org/?p=5806

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