



## Frequently Asked Questions

### Texas – General Election 2022

*Last Updated: August 22, 2022*

**Disclaimer:** This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision-making.

**Note:** This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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# REGISTERING TO VOTE

### 1. **ELIGIBILITY:** Can I register to vote?

Voters are eligible to register to vote if:

- The voter is a United States citizen;
- The voter is a resident of the county where the application is submitted;
- The voter is at least 17 years and 10 months old on the date the voter's registration application is submitted, and the voter is 18 years of age on Election Day;
- The voter is not finally convicted of a felony, or, if so 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; and
- The voter has not been declared by a court exercising probate jurisdiction to be either totally mentally incapacitated or partially mentally incapacitated without the right to vote.

### 2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I have to be a member of a party to vote in its primary?

Please see [Question 1](#) for eligibility to vote. Voters in Texas primary elections may choose at the polls to vote in the Republican or Democratic primary, regardless of their party affiliation. Once a voter has voted in the primary, they affiliate with that party for the remainder of the year and cannot participate in another party's primary runoff or convention process.

### 3. **STATUS:** Am I registered to vote?

Voters can determine whether they are registered by checking the Texas Secretary of State's website (<https://teamrv-mvp.sos.texas.gov/MVP/mvp.do>) or by calling the voter registrar's office in the county where they reside (phone numbers are available at <https://www.sos.state.tx.us/elections/voter/votregduties.shtml>).

Voters can confirm their status on the website by using (1) the Voter Unique Identifier (VUID), which appears on their voter registration certificate; (2) their Texas driver's license number, if they provided it when they applied for voter registration; or (3) their first and last name, county of residence, and birthdate.

4. **HOW:** [How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?](#)

IMPORTANT: The voter registration deadline for the 2022 General Election is October 11, 2022.

Voters can apply to register to vote by mail, by fax, or in person.<sup>1</sup> Voters cannot register online in Texas.

*Mail or Fax:* If applying to register by mail or fax, voters fill out an application online, print it, and mail or fax it to the voter registrar's office. If registering by fax, a copy must ALSO be submitted by mail and received no later than four business days after the faxed version is received.<sup>2</sup>

- The voter registration application is available at: <https://webservices.sos.state.tx.us/vrapp/index.asp>.
- The addresses for all voter registrar's offices are available at: <http://www.sos.state.tx.us/elections/voter/votregduties.shtml>.

*In-Person:* If applying to register in-person, voters can register at the local registrar's office (<http://www.sos.state.tx.us/elections/voter/votregduties.shtml>), or with a Volunteer Deputy Registrar. There is no central database of Volunteer Deputy Registrars, who are appointed by county registrars to assist in registering voters. They are often individuals associated with a campaign or local organization. To get in touch with a Volunteer Deputy Registrar, voters can contact their county voter registrar (<https://www.sos.state.tx.us/elections/voter/votregduties.shtml>).

5. **IDENTIFICATION:** [What ID is required to register to vote?](#)

Identification is not absolutely required to *register* to vote. However, people who have one of the following must provide it: a Texas driver's license number or Texas Personal I.D. number, or, lacking those forms of ID, the last four digits of a social security number. People who do not have any of these three types of information must check a box stating that they do not have a license number, a personal identification number, or social security number. For information on the identification required to vote, see [Question 35](#).

6. **DEADLINES:** [When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?](#)

For the 2022 General Election on November 8, 2022, the deadline to register to vote is *October 11, 2022*.

7. **SAME DAY:** [Does my state have Same Day Registration? If so, what is the process?](#)

No, Texas does not have same-day registration. The registration deadline for the 2022 General Election is October 11, 2022—in Texas, the voter must be registered at least 30 days before any election.<sup>3</sup>

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<sup>1</sup> TEX. ELEC. CODE § 13.143(d)(1-2).

<sup>2</sup> TEX. ELEC. CODE § 13.002(a).

<sup>3</sup> TEX. ELEC. CODE § 13.143.

8. **PERMANENT MOVE:** I have moved permanently and I didn't update my voter registration, can I vote?

The answer depends on when and where the voter moved.

If the voter moved **within the same county** where they are currently registered, the voter must file the new address information in writing with the county voter registrar OR submit the "in county" change online. The last day to make a change of address that will be effective for the November 8, 2022 Election is October 11, 2022.

- However, a voter may return to their old precinct to vote, if they still live in the political subdivision holding the election. At that location, the voter must complete a "statement of residence" confirming their new address. This will update their registration information for the future. The voter will then be allowed to vote a regular ballot if they are otherwise eligible.
- Note: For Early Voting, and for Election Day if the voter lives in a county that uses "countywide polling," they can vote at any precinct in that county and don't have to return to a particular one. Check for "countywide polling" here:  
<https://www.sos.state.tx.us/elections/laws/countywide-polling-place-program.shtml>.

If a voter moved to a "**new county**," they must have re-registered in the new county of residence by October 11, 2022, to be eligible to vote in the November 8, 2022 Election (unless eligible to vote a "limited ballot," see below).

**LIMITED BALLOT OPTION for EARLY VOTING:** A voter who has moved to a new county but has not re-registered in the new county by the October 11, 2022 deadline MAY be eligible to vote a limited ballot in the new county. A limited ballot contains any candidates and measures that appear on the ballots for *both* the voter's former county and new county.

- Limited ballots are only available during the **early voting period** and only at the **main early voting polling place**.
- Limited ballots are NOT available on Election Day.
- The voter must be a current registered voter in their former county in order to qualify OR they must have been registered in their old county at the time they submitted a voter registration application in their new county, if they have done so.

For full information on this procedure (including the by-mail option, if qualified to vote by mail), go to [Special Procedures for Early Voting](#) or contact the office of the [Early Voting Clerk](#) in the new county.

9. **TEMPORARY MOVE:** I have moved temporarily. How can I vote?

Texas does not have any specific rules for a temporary move. If a voter's principal residence hasn't changed but they are unable to vote in-person in that precinct, the voter may be eligible to vote an absentee/mail-in ballot (see [Question 46](#)).

Detailed information for voters temporarily displaced by natural disasters is available at: [Displaced by Disaster](#).

10. **STUDENT:** I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

Students who attend college in Texas may register and vote in Texas if they plan to stay in Texas for the time being and consider it their home. Students who attend college outside of Texas are still considered Texas residents if the move is temporary for school and they intend to make Texas their home

afterwards.<sup>4</sup> However: “[a] person may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain.”

For more information, refer to the Texas Secretary of State’s website:  
<https://www.votetexas.gov/voting/#students>.

**11. LIVING ABROAD:** I am living abroad and/or serving in the military. How can I register and/or vote?

U.S. citizens living outside of the United States and active uniformed service members (and their eligible dependents) may request a mail-in ballot under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).<sup>5</sup> Step-by-step assistance and forms are available at <https://www.votetexas.gov/military-overseas-voters/> and [fvap.gov/texas](http://fvap.gov/texas).

**12. CRIMINAL CONVICTION:** I have a criminal conviction. Can I register to vote?

*Felony:* If a voter has been *convicted* of a felony (and there is no appeal pending), they cannot vote in Texas *unless* they have fully discharged their sentence (including any term of incarceration, parole, probation, or supervision) or have been pardoned.<sup>6</sup> However, if they have been charged with—but *not convicted* of—a felony, they *may* vote if they are otherwise eligible and register to vote.

*Non-Felony:* A voter can vote even if they have been convicted of a misdemeanor or other non-felony offenses.

**13. INCARCERATED:** I am currently incarcerated. Can I register to vote?

If a voter is otherwise eligible to vote, they do not lose that eligibility just by being in jail. However, they may only vote *early by mail* if they are currently in jail. To learn how a criminal conviction or charge impacts a voter’s eligibility to vote, see [Question 12](#).

This includes individuals who are:

- Serving a misdemeanor sentence for a term that ends on or after Election Day;
- Pending trial after denial of bail
- Without bail pending an appeal of a felony conviction; or
- Pending trial or appeal on a bailable offense for which release on bail before Election Day is unlikely.

## HOW TO VOTE: ELECTION DAY

**14. HOURS:** When do the polls open/close on Election Day?

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<sup>4</sup> TEX. ELEC. CODE § 1.015. See generally *United States v. Texas*, 445 F. Supp. 1245, 1261–62 (S.D. Tex. 1978), aff’d 439 U.S. 1105 (1979); see also *Dunn v. Blumstein*, 405 U.S. 330, 330 (1972); *Williams v. Salerno*, 792 F.2d 323, 328 (2d Cir. 1986).

<sup>5</sup> TEX. ELEC. CODE § 105.001.

<sup>6</sup> TEX. ELEC. CODE § 11.002(a)(4).

The polls must be open from 7:00 a.m. to 7:00 p.m. local time on Election Day.<sup>7</sup>

**15. POLLING LOCATION: Where do I vote on Election Day?**

A voter's polling location can be found with the voter's registration record (<https://teamrv-mvp.sos.texas.gov/MVP/mvp.do>) (there will usually be links on the right next to the voter's registration record) or on the voter's county election website.

Note: All voters in Texas can vote at **any** location in their county during early vote, and a voter in a "countywide voting" county can vote at any location in that county on Election Day. A list of the counties who are using countywide voting is available at this link: [countywide-polling-place-program](#).

If a voter has moved recently and has not updated their voter registration, see [Question 8](#) and [Question 9](#).

**\*Note to hotline volunteer:** Due to the COVID-19 pandemic, many polling places that voters may have used in the past have been moved or consolidated. Advise voters to check the polling place listed on the Voter Notification Card they received from the local election authority a few days before the election or look for the voter's polling location with the voter's registration record (<https://teamrv-mvp.sos.texas.gov/MVP/mvp.do>).

**16. CLOSING: What if the polls close when I am already in line?**

A voter inside or waiting to enter the polling location by 7:00 p.m. is entitled to vote.<sup>8</sup>

**\*Note to hotline volunteers:** If you learn that a polling place prohibits those who were in line by the time the polls closed from voting, advise voters to stay at the polling location and contact your hotline captain immediately.

**17. IDENTIFICATION: What identification is required to vote?**

A voter who has one of the following forms of photo identification must present it at the polling place in order to vote:<sup>9</sup>

- Texas Driver's License issued by Texas Department of Public Safety (DPS);
- Texas Personal Identification Card issued by DPS;
- Texas Election Identification Certificate issued by DPS<sup>10</sup>;
- Texas Handgun License issued by DPS;
- US Military Identification Card with photo;
- US Citizenship Certificate with photo; or
- US Passport (book or card).

Except for the U.S. citizenship certificate (which does not expire), **the identification must be current or have expired within the past four years**. Voters aged 70 or older may use an expired ID listed above

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<sup>7</sup> TEX. ELEC. CODE § 41.031(a).

<sup>8</sup> TEX. ELEC. CODE § 41.032(a).

<sup>9</sup> TEX. ELEC. CODE ANN. § 63.0101. See also information on photo ID available at <https://www.sos.state.tx.us/elections/forms/id/acceptable-forms-of-ID.pdf>.

<sup>10</sup> See <https://www.dps.texas.gov/section/driver-license/election-identification-certificate-eic>.



regardless of how long it's been expired, if the identification is otherwise valid.<sup>11</sup>

A voter with an ID or one of the alternatives listed in [Question 18](#) will receive a regular ballot.

Note on Matching Names: If the name on the voter list does not exactly match the name on their identifying documentation, the voter can vote by regular ballot so long as the names are substantially similar, and the voter submits an affidavit statement swearing that they are the person on the list of registered voters.<sup>12</sup>

Note on Matching Addresses: Voter's address on either the photo ID or the alternative documentation does not need to match their address on the voter registration list.<sup>13</sup>

#### 18. **NO IDENTIFICATION:** Can I vote without providing identification?

A voter who cannot reasonably obtain the forms of identification listed above, may provide a signed document (under oath) stating their reasonable impediment to obtaining photo ID, and present a copy or original of:<sup>14</sup>

- (1) A government document that shows name and an address, including voter registration certificate;
- (2) One of the following showing the voter's name and address:
  - A copy of a current utility bill;
  - A bank statement;
  - A government check;
  - A paycheck; or
- (3) A certified copy of a domestic birth certificate or other legally admissible document confirming birth and establishing the person's identity.

While election officials may ask a voter if they have an acceptable photo ID, election officials cannot question or challenge the voter concerning their lack of that ID. Election officials cannot question the reasonableness of the voter's difficulty in obtaining a photo ID.<sup>15</sup>

#### 19. **NOT ON ROLLS AT MY POLLING PLACE:** I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

Volunteers: Note that you can take steps to help to determine why a voter's name is not on the list of registered voters:

- *Check the voter's registration status using the registration lookup tool to make sure they are registered to vote and at the right place. (see [Question 3](#))*
- *Has the voter moved recently? Could they be registered at an old address? Check that address in the registration lookup tool. (see [Question 3](#))*
- *Has the voter changed their name recently, or could they be registered under a different name? Check that name (and any variations of the voter's name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool. (see [Question 3](#))*

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<sup>11</sup> TEX. ELEC. CODE ANN. § 63.0101(a)(1).

<sup>12</sup> TEX. ELEC. CODE § 63.001(c).

<sup>13</sup> TEX. ELEC. CODE § 63.001(c-1).

<sup>14</sup> TEX. ELEC. CODE §§ 63.001(b)(2); 63.0101(b).

<sup>15</sup> TEX. ELEC. CODE § 63.001(d).

- *When did the voter register to vote? Was that before the deadline?*

If the voter has the required identification (see [Question 17](#)) **and** voter registration certificate, they can cast a **regular ballot** if they present their voter registration certificate (which must show that registration in that precinct or a different precinct within the same county).

A voter who is voting in a different precinct within the same county, must also provide an affidavit stating that:

- 1) they are currently a resident in the precinct in which they are voting;
- 2) they were a resident of that precinct at the time their address was last provided to the voter registrar;
- 3) they did not deliberately provide false information; and
- 4) they are only voting once in the election.<sup>16</sup>

If the county participates in Countywide Polling on Election Day (list found [here](#)), a voter can vote in any precinct in the county.

If the voter does not have a voter registration certificate and their name is not on the list of registered voters, they may **ONLY** vote by provisional ballot (*voting by provisional ballot should be a last resort*).<sup>17</sup>

If a voter moved to a new county, and did not register in time, they may vote a **limited ballot** (described above) in the **new** county during the Early Voting period, or, if eligible, by mail ballot.<sup>18</sup> A voter must submit a registration application for the new county at the time of casting the limited ballot. The limited ballot will only include candidates and measures that are common between the former county and the new county.

The Secretary of State or local voter registrar may have removed a voter's name from the rolls for any of the following reasons:<sup>19</sup>

- Notice that they reside in a county other than the one they are registered in;
- Notice that they are deceased;
- Evidence of a final court judgment regarding their mental incapacity to vote;
- Evidence of a final court judgment regarding their felony conviction;
- Notice that they have applied for a limited ballot in another county;
- Notice that they have registered to vote in another state;
- Notice that they have registered to vote in another county;
- Notice that they are not a U.S. citizen;<sup>20</sup> or
- A written, signed request from them to cancel their registration.<sup>21</sup>

If a voter is notified that their registration has been canceled, they may challenge the cancellation by submitting a written, signed request to the voter registrar for a hearing.<sup>22</sup> The voter registrar will notify them of the date, time, and place of the hearing.<sup>23</sup> Each county's process for challenging a cancellation is

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<sup>16</sup> TEX. ELEC. CODE § 63.006(a).

<sup>17</sup> TEX. ELEC. CODE § 63.009.

<sup>18</sup> TEX. ELEC. CODE § 112.002.

<sup>19</sup> TEX. ELEC. CODE § 16.031.

<sup>20</sup> TEX. ELEC. CODE § 16.0332(a).

<sup>21</sup> TEX. ELEC. CODE § 16.0331.

<sup>22</sup> TEX. ELEC. CODE § 16.062.

<sup>23</sup> TEX. ELEC. CODE § 16.065.

different—a voter should either check the notice received, to find out what the procedure is for challenging a cancellation, or contact their county voter registrar.

20. **PROVISIONAL BALLOT:** If I don't have an ID, can I request a provisional ballot? My name is not on the rolls at my polling place, can I request a provisional ballot?

A voter who has an acceptable ID but has not brought it, may vote provisionally. They will then have six (6) days to present a photo ID listed above to the county voter registrar. A voter may also receive a provisional ballot based on loss of ID due to a natural disaster (as declared by the president or the governor) or after executing an affidavit that states the voter has a religious objection to being photographed.<sup>24</sup>

## **HOW TO VOTE: EARLY VOTING**

**(in some states called “in-person absentee”)**

21. **AVAILABILITY:** Is there early voting in my state (whether called early voting or in person absentee voting)?

Yes, Texas has early, in-person voting, and also allows **some** voters to vote early by mail (in Texas, this is no longer referred to as “absentee voting”).

22. **ELIGIBILITY:** Do I have to have a reason to vote early?

No: Any registered voter can vote early in-person.<sup>25</sup>

23. **WHEN:** When does early voting begin/end?

*In-Person:* Any registered voter can vote ***in-person*** before Election Day from **October 24 through November 4.**<sup>26</sup>

*By Mail:* Voters eligible to vote by mail (see [Question 27](#)) can apply to vote by mail by submitting an application by October 28; the application must be **received** by the county elections office (either by mail or in person) by that date.

The dates and hours that Early Voting polling places are open will vary based on where the voter lives. The locations and times of Early Voting polling places may be found by looking up the voter's registration record at <https://teamrv-mvp.sos.texas.gov/MVP/mvp.do> (there will usually be links on the right next to the voter's registration record) or going to the county election website.

24. **WHERE:** Where do I vote during early voting?

The locations and times of Early Voting polling places for the voter's specific county may be found by looking up the voter's registration record at <https://teamrv-mvp.sos.texas.gov/MVP/mvp.do> (there will

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<sup>24</sup> TEX. ELEC. CODE § 65.054; TEX. ELEC. CODE § 65.0541.

<sup>25</sup> TEX. ELEC. CODE § 82.005.

<sup>26</sup> TEX. ELEC. CODE §§ 81.001(a)-(b).

usually be links on the right next to the voter's registration record) or going to the county election website.

**25. IDENTIFICATION:** What identification is required for early voting? What if I don't have an ID?

Voters must provide acceptable photo identification to vote early or have a permanent exemption on their voter registration certificate, or offer a supporting form of ID and a Reasonable Impediment Declaration. The same identification rules for Election Day apply to early voting. See [Question 17](#).

**\*Note to hotline volunteers:** In Texas, "vote by mail," "mail-in voting," and "absentee voting" are the same thing (whereas in some states there are differences between them). "Absentee voting" is not a common term in Texas: in person early voting is usually referred to simply as "early voting," and mail voting as "vote by mail" or "mail-in voting."

## HOW TO VOTE: VOTE BY MAIL

**26. AUTOMATIC MAIL BALLOT:** Will I automatically be sent a ballot in the mail?

In Texas, voters must request (apply for) a mail-in ballot for **each election** in order to receive one. The only exception is for voters aged 65 or older and disabled voters, who may make a single request (application) for mail-in ballots for all elections in a calendar year.<sup>27</sup>

A voter can obtain a mail-in ballot application on the Secretary of State Division of Elections website (<http://www.sos.state.tx.us/elections/forms/>), at the Secretary of State's office (Texas Secretary of State P.O. Box 12887 Austin, TX 78711-2887), at a county election office (<https://www.sos.state.tx.us/elections/voter/county.shtml>), or, in some counties, on the website of the county election office.

**27. ELIGIBILITY:** Do I need a specific reason to vote by mail?

Yes, voters **must** fall into one of the following categories to vote by mail:

- Absent from their county on Election Day and during Early Voting;
- Having a sickness or physical condition that prevents them from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring their health;
- Expecting to give birth within three weeks before or after election day;<sup>28</sup>
- Aged 65 years of age or older on Election Day; or
- Confined in jail, but eligible to vote, as discussed in [Question 12](#).<sup>29</sup>

**Note that concern about COVID-19 alone does *not* qualify a voter to vote by mail.** However, the Texas Supreme Court has ruled that lack of immunity to COVID-19 can be considered as a factor in a voter's decision as to whether voting in person will create a likelihood of injury to their health, but it cannot be

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<sup>27</sup> TEX. ELEC. CODE § 86.0015.

<sup>28</sup> TEX. ELEC. CODE § 82.002.

<sup>29</sup> TEX. ELEC. CODE §§ 82.001-004.

the only factor. A voter does not qualify to vote by mail just by having a “fear” of contracting COVID-19 if otherwise healthy. To qualify, they must have an accompanying physical condition.

Additionally, active uniformed service members (and their eligible dependents) and U.S. citizens living outside of the United States may request a mail-in ballot under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).<sup>30</sup> Step-by-step assistance and forms are available [here](#).

**28. APPLICATION DEADLINE:** What is the deadline for requesting a mail-in ballot?

Applications for ballot by mail must be received by **October 28, 2022**.

All applications to vote by mail must be received by the early voting clerk not later than the 11th day before Election Day by the close of regular business or 12 noon, whichever is later. Applications to vote by mail must be submitted in person or by mail, email, common or contract carrier, or fax (if a fax machine is available in the office of the early voting clerk).

**29. APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

Voters may submit their application for a mail-in ballot by:<sup>31</sup>

- Regular mail;
- Common or contract carrier (FedEx/UPS, etc.);
- Faxing a scanned application (with original signature, no e-signature);<sup>32</sup>
  - New: Voters sending by fax MUST also mail the application to their local election office, who must receive it within four business days of the fax being received.
- Emailing a signed application (with original signature);<sup>33</sup> or
  - New: Voters sending by email MUST also mail the application to their local election office, who must receive it within four business days of the e-mail.
- Personal delivery, by the voter themselves.<sup>34</sup>

**30. IDENTIFICATION:** Are there identification requirements when I return my absentee ballot application and/or ballot?

An application for a mail-in ballot must contain one of the listed IDs or a statement that the voter does not have one:

- People who have one of the following must provide it:
  - A Texas driver’s license number,
  - Texas Personal I.D. number,
  - TX Election identification Certificate number (not the VUID), OR
  - (if the voter has none of the above forms of ID), the last four digits of their social security number.

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<sup>30</sup> TEX. ELEC. CODE § 105.001.

<sup>31</sup> TEX. ELEC. CODE § 84.007.

<sup>32</sup> TEX. ELEC. CODE § 84.007.

<sup>33</sup> TEX. ELEC. CODE § 84.007.

<sup>34</sup> TEX. ELEC. CODE § 84.008.

- People who do not have any of these types of identification must check a box stating that they do not have one.

The ID must match the one the voter used to register. If the voter is uncertain which ID they used to register, we suggest including information for one TX ID plus their social security number.

If a voter receives a rejection notice for their application due to incorrect or missing ID numbers, they can add/correct the numbers using the Secretary of State's [ballot and application tracker portal](#).

31. **RECEIVING MAIL BALLOT:** Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

**Note to Volunteers:** Remind callers to carefully read the instructions that come with the mail-in ballot.

Voters may choose to have the mail-in ballot sent to their home address or to another address *if* it fits one of the following categories:

- The mailing address is listed on the voter's Voter Registration Certificate;
- The address is outside of the county (for voters absent from the county);
- The address belongs to a hospital, nursing home, long-term care facility, retirement or assisted living center, or a relative; or
- The address belongs to the jail/civil commitment facility or a relative.

These categories are listed on the mail-in ballot and the voter *must* confirm the type of address the ballot is being sent to.

32. **MISSED THE APPLICATION DEADLINE:** What if I have not requested a mail-in ballot by the deadline?

No mail-in ballots will be issued for requests received after the deadline. The deadline to request a mail-in ballot for the 2022 General Election is October 28, 2022; for more information, see [Question 28](#).

However, eligible voters who missed that deadline may vote early in person or on Election Day.

33. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my application and/or mail-in ballot?

- Ballot by Mail Tracker on TX SoS website: [Ballot Tracker](#).
- The FPCA has an Overseas and Military [Ballot Tracker](#).

34. **APPLICATION OR BALLOT REJECTED:** I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

A voter whose mail-in ballot application or ballot has been rejected will receive a notice describing the rejection. If the voter believes it was rejected in error or if the voter would like to remedy the issue, the voter should reach out to their **local** election office to determine what remedies may be available: (<https://www.sos.state.tx.us/elections/voter/county.shtml>).

\*Note to hotline volunteer: Please see the supplemental guidance posted on EP Legal for details about how to address a rejected ballot.

### 35. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

**Note to Volunteers:** Remind callers to carefully read the instructions that come with the mail-in ballot and fill out all required parts of the form, and make sure it is received by the county election office by the required deadline of October 28, 2022 (see [Question 28](#)).

There are new identification requirements for completing the mail-in ballot. This identification information must be written on the ballot's "carrier" envelope.

- People who have one of the following must provide it:
  - A Texas driver's license number,
  - Texas Personal I.D. number,
  - TX Election identification Certificate number (not the VUID), OR
  - (if the voter has none of the above forms of ID), the last four digits of their social security number.
- People who do not have any of these types of identification must check a box stating that they do not have one.

### 36. **ASSISTANCE COMPLETING BALLOT:** Can someone assist me in filling out my ballot?

A person may assist a voter with filling out and mailing a mail-in ballot.

- A person who helps a voter complete the ballot must fill out the assistant information on the carrier envelope and provide their own printed name, residence address, and signature; the relationship of the person providing the assistance to the voter; and whether the assistant received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee in exchange for assistance.<sup>35</sup> The person assisting the voter must also sign a written oath that is part of the certificate on the official carrier envelope.<sup>36</sup>
- The voter can select any person who is not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs to be their assistant and help them in preparing the ballot and/or mailing the carrier envelope.<sup>37</sup>
- If a voter cannot sign the application because of a physical disability or inability to read or write in English, they may have a witness fill out a portion of the form at the bottom stating that to be true.
- The witness and assistant can be the same person.<sup>38</sup>
- A person may not sign an application for a mail ballot for more than one applicant, unless the person is related as a parent, grandparent, spouse, child or sibling.

**Only the voter may hand-deliver the ballot to the early voting clerk's office on Election Day.<sup>39</sup>**

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<sup>35</sup> TEX. ELEC. CODE § 86.010.

<sup>36</sup> TEX. ELEC. CODE § 86.010.

<sup>37</sup> TEX. ELEC. CODE § 64.032.

<sup>38</sup> TEX. ELEC. CODE § 84.003.

<sup>39</sup> TEX. ELEC. CODE § 86.006.

**37. DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

Mail-in ballots must be received by Tuesday, November 8, 2022 (Election Day) at 7:00 p.m. if carrier envelope is not postmarked, OR Wednesday, November 9, 2022 (next business day after Election Day) at 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply). A marked ballot must be transported by mail, common or contract carrier, or in person (subject to the below requirements).

To drop off a ballot in person, a voter must drop off the completed ballot *in the envelope it came with* to a site designated by the local election office on Election Day.<sup>40</sup> In-person drop off must be completed while the polls are open. The marked ballot must be received by an election official at the time of drop off. A voter who delivers a completed ballot in-person must present an acceptable form of identification (see Question 17).<sup>41</sup> Contact the local election office for the exact location for dropping off the ballot: <https://www.sos.texas.gov/elections/voter/county.shtml>.

**38. BALLOT DROP OF LOCATIONS:** What are the locations for dropping off a ballot (instead of mailing it)?

A voter may drop off a completed ballot in the envelope it came with to a site designated by the local election office on Election Day.<sup>42</sup> In-person drop off must be completed while the polls are open. . The marked ballot must be received by an election official at the time of drop off. A voter who delivers a completed ballot in-person must present an acceptable form of identification (see [Question 30](#)).<sup>43</sup> Contact the local election office for the exact location for dropping off the ballot. Contact information here: <https://www.sos.texas.gov/elections/voter/county.shtml>.

**39. ASSISTANCE DROPPING OFF BALLOT:** Can someone else drop off my completed ballot for me?

No. Only the voter may deliver their ballot in person. The voter who delivers a completed ballot in person must present an acceptable form of identification (see [Question 30](#)).<sup>44</sup>

However, a voter casting a ballot by mail who would be eligible to receive assistance at a polling place (due to a physical disability that renders the voter unable to write or see *or* an inability to read the language in which the ballot is written) can receive assistance from someone to deposit the sealed carrier envelope in the mail.<sup>45</sup>

**40. LOST OR SPOILED BALLOT:** What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

If a voter has lost or spoiled a mail-in ballot, they can reach out to the local (county) election office to see if the election office can cancel the first ballot and send another one. If time is tight, a voter can cancel an absentee ballot at the county election office (or, in some counties, at a polling site itself, if early voting

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<sup>40</sup> TEX. ELEC. CODE § 86.006.

<sup>41</sup> TEX. ELEC. CODE § 86.006(a-1).

<sup>42</sup> TEX. ELEC. CODE § 86.006.

<sup>43</sup> TEX. ELEC. CODE § 86.006.

<sup>44</sup> TEX. ELEC. CODE § 86.006.

<sup>45</sup> TEX. ELEC. CODE § 86.010(b).



has begun) and vote in person early or on Election Day. Because cancellation options depend on timing and whether the voter received a ballot or not, they should contact their local election office immediately to discuss which options are available:

<https://www.sos.state.tx.us/elections/voter/county.shtml>.

41. **NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?

A voter who applied for but never received a mail-in ballot should contact their local election office to see if they can cancel the first ballot and send another one. If time is tight, the voter can cancel the absentee ballot at their county election office (or, in some counties, at a polling site itself, if early voting has begun) and vote in person early or on Election Day. Because cancellation options depend on timing, the voter should contact their local election office immediately to discuss which options are available:

<https://www.sos.state.tx.us/elections/voter/county.shtml>.

As a last resort, voters may be able to cast a provisional ballot in-person either during early voting or on Election Day. The provisional ballot will be counted once the county determines they never received the voter's mail-in ballot and that the voter is otherwise eligible.

42. **IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

If a voter requested a mail-in ballot but instead chooses to vote in person, the voter must request a cancellation of their mail-in ballot. A voter may cancel their mail-in ballot and vote in-person by submitting a signed request, in writing, to the local election office, specifying the election for which the application was made. The cancellation request must be received *three days before the election* and before the mail-in ballot is returned to the early voting clerk as a marked ballot.

Alternatively, a voter may cancel their mail-in ballot after early voting has ended by appearing in person at their county elections office and returning their mail-in ballot or executing an affidavit stating that they have not received the ballot to be voted by mail.

Finally, a voter may also go to a polling place during early voting or on Election Day and turn over their mail ballot, and then vote in person.

**Note:** The specific details for canceling a mail-in ballot vary depending on when in the election cycle it is, when in doubt please confirm with the local board of elections.

**Note:** A voter **cannot** change their vote after submitting their mail-in ballot by voting in person after a mail ballot was accepted as a marked ballot.

## HOW TO VOTE: ABSENTEE

43. **ELIGIBILITY:** Am I eligible to request an absentee ballot?

Voters **must** fall into one of the following categories to vote by absentee ballot (i.e., vote by mail):

- Absent from the voter’s county on Election Day and during Early Voting;
- Having a sickness or physical condition that prevents the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring their health;
- Expecting to give birth within three weeks before or after Election Day;<sup>46</sup>
- Aged 65 years of age or older on Election Day; or
- Confined in jail, but eligible to vote, as discussed in [Question 12](#).<sup>47</sup>

**Note that concern about COVID-19 alone does *not* qualify a voter to vote absentee.** However, the Texas Supreme Court has ruled that lack of immunity to COVID-19 can be considered as a factor in the decision as to whether voting in person will create a likelihood of injury to a voter’s health, but it cannot be the only factor. A voter does not qualify to vote absentee just by having a “fear” of contracting COVID-19 if otherwise healthy. To qualify, the voter must have an accompanying physical condition.

Additionally, active uniformed service members (and their eligible dependents) and U.S. citizens living outside of the United States may request a mail-in ballot under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).<sup>48</sup> (Step-by-step assistance and forms are available [here](#)).

In Texas, voters must request (apply for) a mail-in ballot for **each election** in order to receive one. Exception: Voters aged 65 or older and disabled voters may make a single request (application) for mail-in ballots for all elections in a calendar year.<sup>49</sup>

Obtain an absentee (mail-in) ballot application on the Secretary of State Division of Elections website (<http://www.sos.state.tx.us/elections/forms/>), at the Secretary of State’s office (Texas Secretary of State P.O. Box 12887 Austin, TX 78711-2887), at a county election office (<https://www.sos.state.tx.us/elections/voter/county.shtml>), or, in some counties, on the website of the county election office.

The voter may submit their application for a mail-in ballot by:<sup>50</sup>

- Regular mail;
- Common or contract carrier (FedEx/UPS, etc.);
- Faxing a scanned application (with original signature, no e-signature);<sup>51</sup>
  - Voters sending by fax MUST also mail the application to their local election office, who must receive it within four business days of the fax being received;
- Emailing a signed application (with original signature);<sup>52</sup> or
  - Voters sending by email MUST also mail the application to their local election office, who must receive it within four business days of the e-mail;
- Personal delivery, by the voter themselves.

#### 44. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

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<sup>46</sup> TEX. ELEC. CODE § 82.002.

<sup>47</sup> TEX. ELEC. CODE §§ 82.001-004.

<sup>48</sup> TEX. ELEC. CODE § 105.001.

<sup>49</sup> TEX. ELEC. CODE § 86.0015.

<sup>50</sup> TEX. ELEC. CODE § 84.007.

<sup>51</sup> TEX. ELEC. CODE § 84.007.

<sup>52</sup> TEX. ELEC. CODE § 84.007.

The absentee ballot application *must be received* by the local election office no later than the close of business on October 28, 2022 (for the 2022 General Election).<sup>53</sup> If applying via fax or email, a physical copy must be mailed and received no later than four business days after the fax/email is received.

**45. IDENTIFICATION: Are there any identification requirements?**

A voter applying for an absentee ballot must provide one of the following forms of identification if they have one:

- A Texas driver's license number,
- A Texas Personal I.D. number, OR
- A TX Election identification Certificate number (not the VUID).

If the voter has none of the above forms of ID:

- The last four digits of their social security number.

Voters who do not have any of these types of identification must check a box stating that they do not have one.

**Note:** The identification **must** match the one the voter used to register. If the voter is uncertain which that was, suggest including both, or one TX ID plus the social security number.

**46. EMERGENCY: Is there an emergency absentee ballot? If so, am I eligible?**

Yes, a voter may apply for an emergency absentee ballot (i.e. an application for emergency early voting ballot, found at: <https://www.sos.state.tx.us/elections/forms/pol-sub/5-25f.pdf>).

Voters are eligible for an emergency absentee ballot if they have a sickness or physical condition that prevents the voter from appearing at the polling place on Election Day without a likelihood of needing personal assistance or of injuring their health that originates on or after the day before the last day to submit an application for an absentee ballot (i.e. on or after October 27, 2022 for the 2022 General Election). The voter is required to provide a certificate of a licensed physician or chiropractor or accredited Christian Science practitioner attesting to their sickness or physical condition.

**47. APPLICATION RETURN: Where and how can I return my absentee ballot application? Can someone return it for me?**

The voter can mail or hand-deliver their application to their local election office, which can be found here: <https://www.sos.texas.gov/elections/voter/county.shtml>.

Voters who e-mail or fax their applications (per [Question 43](#) above) must *also* mail a copy to the local election office, which must receive the mailed copy within four business days.

A person may assist a voter with filling out and mailing a vote-by-mail application.

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<sup>53</sup> TEX. ELEC. CODE § 84.007; Tex. Elec. Code § 84.008. Note: This deadline is the 11<sup>th</sup> day before election day unless that day is a Saturday, Sunday or holiday, in which case the last day is the first preceding regular business day.

- A person who helps a voter complete the application must fill out the assistant information on the application by providing their own name, residence address, and signature, unless they are a close relative or a person registered to vote at the same address.<sup>54</sup>
- If a voter cannot sign the application because of a physical disability or inability to read or write in English, they may have a witness fill out a portion of the form at the bottom stating that to be true.<sup>55</sup>
  - The witness and assistant can be the same person.<sup>56</sup>
  - Please note that a person can only act as a witness for *one* applicant in an election, unless the person is an early voting clerk or deputy early voting clerk or the person is related to the additional applicants as a parent, grandparent, spouse, child, or sibling.<sup>57</sup>
- Only the voter may hand-deliver the application.<sup>58</sup>

**48. STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my absentee ballot application and/or absentee ballot return?

A voter can check the Ballot by Mail Tracker on the TX SoS website: [Ballot Tracker](#)

For overseas and military voters, the Federal Post Card Application has a tracker: [FPCA Ballot Tracker](#)

**49. APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

If the voter believes it was rejected in error, the voter should reach out to their **local** election office (<https://www.sos.state.tx.us/elections/voter/county.shtml>).

\*Note to hotline volunteer: Please see the supplemental guidance posted on EP Legal for details about how to address a rejected ballot.

**50. COMPLETING BALLOT:** How do I complete the absentee ballot?

The information required to complete the absentee ballot is the same as the *application* for the absentee ballot, but the ballot itself goes in the “carrier” envelope.

A voter completing an absentee ballot must provide one of the following forms of identification if they have one:

- a Texas driver’s license number;
- Texas Personal I.D. number;
- TX Election identification Certificate number (not the VUID)

If the voter does not have one of these forms of ID, the voter must provide their last four digits of their social security number. Voters who do not have any of these types of identification must check a box stating that they do not have one.

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<sup>54</sup> TEX. ELEC. CODE § 84.003; TEX. ELEC. CODE § 1.001.

<sup>55</sup> TEX. ELEC. CODE 84.003.

<sup>56</sup> TEX. ELEC. CODE § 84.003.

<sup>57</sup> TEX. ELEC. CODE § 84.004.

<sup>58</sup> TEX. ELEC. CODE § 84.008.

Volunteers: Remind callers to carefully read the instructions that come with the mail in ballot and fill out all required parts of the form, and make sure it is received by the county election office by the required deadline (see Question 52 for those deadlines).

**51. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?**

A person may assist a voter with filling out and mailing the ballot.

A person may assist a voter with filling out and mailing a mail-in ballot.

- A person who helps a voter complete the ballot must fill out the assistant information on the carrier envelope and provide their own printed name, residence address, and signature; the relationship of the person providing the assistance to the voter; and whether the assistant received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee in exchange for assistance.<sup>59</sup> The person assisting the voter must also sign a written oath that is part of the certificate on the official carrier envelope.<sup>60</sup>
- The voter can select any person who is not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs to be their assistant and help them in preparing the ballot and/or mailing the carrier envelope.<sup>61</sup>
- If a voter cannot sign the application because of a physical disability or inability to read or write in English, they may have a witness fill out a portion of the form at the bottom stating that to be true.
- The witness and assistant can be the same person.<sup>62</sup>
- A person may not sign an application for a mail ballot for more than one applicant, unless the person is related as a parent, grandparent, spouse, child or sibling.
- Only the voter may hand-deliver the ballot to the early voting clerk's office on Election Day.<sup>63</sup>

**52. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?**

The early voting clerk must *receive* the marked ballot by the close of polls on Election Day (7 p.m.) if **not postmarked**.<sup>64</sup> If the ballot is postmarked by 7 p.m. on Election Day, it must be *received* by 5 p.m. the following day (November 9<sup>th</sup>).

If the voter's ballot is submitted from outside the United States, the ballot must be postmarked by Election Day, but will be accepted if it is received by November 14.<sup>65</sup> For military voters and spouses, the ballot must be postmarked by Election Day, but will be accepted if it is received by November 14.<sup>66</sup>

**53. BALLOT DROP OFF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?**

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<sup>59</sup> TEX. ELEC. CODE § 86.010.

<sup>60</sup> TEX. ELEC. CODE § 86.010.

<sup>61</sup> TEX. ELEC. CODE § 64.032.

<sup>62</sup> TEX. ELEC. CODE § 84.003.

<sup>63</sup> TEX. ELEC. CODE § 86.006.

<sup>64</sup> TEX. ELEC. CODE ANN. § 86.007.

<sup>65</sup> TEX. ELEC. CODE § 86.007; § 41.031. *See also*

<https://www.sos.state.tx.us/elections/voter/important-election-dates.shtml#2020>. Note: This date is the 5<sup>th</sup> day after Election Day (or the next business day if the 5<sup>th</sup> day is a weekend or holiday).

<sup>66</sup> TEX. ELEC. CODE § 86.007; § 41.031. *See also*

<https://www.sos.state.tx.us/elections/voter/important-election-dates.shtml#2020>. Note: This is the 6<sup>th</sup> day after Election Day (or the next business day if the 6<sup>th</sup> day is a weekend or holiday).

A voter may drop off a completed ballot *in the envelope it came with* to a site designated by the local election office on Election Day.<sup>67</sup> In-person drop off must be completed while the polls are open and the ballot must be received by an election official at the time of delivery.<sup>68</sup> A voter who delivers a completed ballot in-person must present an acceptable form of identification (see [Question 45](#)).<sup>69</sup> The receiving official must record the voter's name, signature, and type of identification used.

Contact the local election office for the exact location for dropping off the ballot. Contact information here: <https://www.sos.texas.gov/elections/voter/county.shtml>.

**54. ASSISTANCE DROPPING OFF:** *Can someone else drop off my completed ballot for me?*

No. Only the voter may deliver their ballot in person. The voter who delivers a completed ballot in person must present an acceptable form of identification (see [Question 45](#)).<sup>70</sup>

**55. LOST OR SPOILED:** *What if I lost my absentee ballot or it is spoiled or I received an incorrect one?*

If a voter has lost or spoiled a ballot, they can reach out to the local (county) election office to see if the election office can cancel the first ballot and send another one. If time is tight, a voter can cancel an absentee ballot at the county election office (or, in some counties, at a polling site itself, if early voting has begun) and vote in person early or on Election Day. Because cancellation options depend on timing and whether the voter received a ballot or not, they should contact their local election office immediately to discuss which options are available.

<https://www.sos.state.tx.us/elections/voter/county.shtml>).

**56. NON-RECEIPT OF BALLOT:** *What if I requested an absentee ballot but have not received it? Can I do anything?*

A voter who applied for but never received a ballot should contact their local election office to see if they can cancel the first ballot and send another one. If time is tight, the voter can cancel the absentee ballot at their county election office (or, in some counties, at a polling site itself, if early voting has begun) and vote in person early or on Election Day. Because cancellation options depend on timing, the voter should contact their local election office immediately to discuss which options are available ([county election offices](#)).

As a last resort, voters may be able to cast a provisional ballot in-person either during early voting or on Election Day. The provisional ballot will be counted once the county determines they never received the voter's mail-in ballot and that the voter is otherwise eligible.

**57. IN PERSON OPTION:** *What if I requested an absentee ballot but I want to vote in person on Election Day?*

If a voter requested an absentee ballot but instead chooses to vote in person, the voter must request a cancellation of their absentee ballot. A voter may cancel their mail-in ballot and vote in-person by submitting a signed request, in writing, to the local election office, specifying the election for which the

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<sup>67</sup> TEX. ELEC. CODE § 86.006.

<sup>68</sup> TEX. ELEC. CODE § 86.006.

<sup>69</sup> TEX. ELEC. CODE § 86.006.

<sup>70</sup> TEX. ELEC. CODE § 86.006.

application was made. The cancellation request must be received *three days before the election* and before the mail-in ballot is returned to the early voting clerk as a marked ballot.

Alternatively, a voter may cancel their vote by mail application after early voting has ended by appearing in person at their county elections office and returning their mail ballot or executing an affidavit stating that they have not received the ballot to be voted by mail.

Finally, a voter may also go to a polling place during early voting or on Election Day and turn over their mail ballot, and then vote in person.

**Note:** The specific details for canceling an absentee ballot vary depending on when in the election cycle it is, when in doubt please confirm with the local board of elections.

**Note:** A voter **cannot** change their vote after submitting their mail-in ballot by voting in person after a mail ballot was accepted as a marked ballot.

**58. IN PERSON ABSENTEE:** *Where do I vote in-person absentee? When can I do this?*

Anyone can vote early in person during the early voting period (see [Question 22](#)); there are several options for voting in person even if the voter applied for and received an absentee ballot (see [Question 57](#)), and the voter can also drop their completed mail-in ballot off in person on Election Day (see [Question 53](#)).

Note: “In-person absentee” is not a commonly used term in Texas, and voters are likely to ask “Where can I vote early” or “Where can I vote early in person.”

## POLLING PLACE ISSUES

**59. POLLING PLACE NOT OPEN:** The polling place is not open. What should I do?

**\*Note to hotline volunteers:** First, double-check to confirm with the voter that they are at the correct polling location and confirm that the county website lists this location as a polling place for this election, and that the voter is at the correct entrance. If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately.

If the voter is not at the correct polling place, redirect them to the correct polling place. If the voter is at the correct polling place and it did not open on time, thank the voter for calling in the problem and let them know the Hotline will alert the county. The voter can stay in line and wait for the polling place to open, come back to the polling place later in the day, or go to another polling place if the voter lives in a county that uses “countywide polling” (check for countywide polling here: <https://www.sos.state.tx.us/elections/laws/countywide-polling-place-program.shtml>).

**60. LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I’m in line?

A voter inside or waiting to enter the polling location by 7:00 p.m. is entitled to vote (see [Question 14](#)).<sup>71</sup>  
Tell the voter to please stay in line!

**\*Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately. Please ask the voter if they know the reason for the long lines (voting machine issues, lack of poll workers, etc.) and the number of voters waiting in line/if any voters have left without voting.

61. **EQUIPMENT FAILURE:** What should I do if there are equipment problems at my precinct?

The voter should immediately notify election officers if there are problems with the voting equipment at the polling location. The presiding election judge at the polling location must use the remaining operational equipment unless the judge determines doing so will substantially interfere with the orderly conduct of the election. In this case, the judge may choose to use regular or early voting paper ballots on Election Day in addition to or instead of the remaining operational equipment.<sup>72</sup> The voter should request a regular paper ballot if not offered.

**\*Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

**\*Note to field volunteer:** Notify the boiler room, which will then notify a voting machine expert.

62. **EQUIPMENT ASSISTANCE:** I don't know how to use the voting equipment. Can I get help?

Yes, Texas law permits election officials to provide voters with general information on how to cast their ballot.<sup>73</sup> In addition, polling places must have an instruction poster displayed both at each voting station and in at least one other location at the polling place where the poster can be read by those waiting to vote. The poster must include instructions for:

- Marking and depositing the ballot;
- Voting for a write-in candidate;
- Casting a provisional ballot; and
- Securing an additional ballot if the voter's original ballot is spoiled.<sup>74</sup>

63. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

Yes. Each polling place is required by law to be accessible and usable by persons with physical disabilities<sup>75</sup> and provide at least one voting station that allows for practical and effective use.<sup>76</sup>

Despite these requirements, many polling places are not accessible. If a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring their health, the voter may request that an election officer deliver a ballot to them at the polling place entrance or curb (this is known as "curbside voting").<sup>77</sup> After marking the ballot, the voter can give it to an election officer to

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<sup>71</sup> TEX. ELEC. CODE § 41.032(a).

<sup>72</sup> TEX. ELEC. CODE § 125.006(c).

<sup>73</sup> TEX. ELEC. CODE § 61.009; see *Carter v. White*, 161 S.W.2d 525, 525 (Tex. Civ. App. 1942).

<sup>74</sup> TEX. ELEC. CODE § 62.011.

<sup>75</sup> TEX. ELEC. CODE § 43.034;

<sup>76</sup> TEX. ELEC. CODE § 61.012.

<sup>77</sup> TEX. ELEC. CODE § 64.009.



deposit it in the ballot box or the voter can request that a person accompanying them be permitted to select and cast their ballot in the ballot box instead of an election officer.<sup>78</sup> However, the voter must mark their own ballot (unless they are also entitled to “assistance” in voting, see [Question 64](#)).<sup>79</sup>

64. **READING/LANGUAGE ASSISTANCE:** I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes, a person of the voter’s choice—other than an employer, an agent of the employer, or an officer or agent of their union—may assist a voter in marking the ballot.<sup>80</sup> Election workers are required to assist voters who do not choose their own assistant – on Election Day, two election workers will assist the voter.<sup>81</sup>

- *If the voter cannot speak English or communicates only with sign language*, an interpreter can assist them in communicating with election officials, regardless of whether the election official(s) attending to the voter can speak the same language as the voter. The voter may select any person other than the voter’s employer, an agent of the voter’s employer, or an officer or agent of a labor union to which the voter belongs.
- *If the voter cannot read the languages on the ballot*, the interpreter may also assist by translating the language on the ballot for the voter in the voting booth.
- *If the voter is deaf and does not have a sign language interpreter who can accompany them to help communicate with the poll worker or read the ballot*, the voter should contact his or her local election officials before the election and request assistance.
- The assistant is to take the following oath affirming they will provide only limited assistance:
  - “I swear (or affirm) under penalty of perjury that the voter I am assisting represented to me they are eligible to receive assistance; I will not suggest, by word, sign, or gesture, how the voter should vote; I will confine my assistance to reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot; I will prepare the voter's ballot as the voter directs; I did not pressure or coerce the voter into choosing me to provide assistance; I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; I will not communicate information about how the voter has voted to another person; and I understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted.”

**All counties** must provide voting materials in both English and Spanish. In addition, federal and Texas law require that bilingual ballots, instructions, voting materials, and poll workers be made available to voters who speak a different language in certain counties:<sup>82</sup>

- Harris County: Chinese (including Taiwanese), Spanish, Vietnamese
- Maverick County: Kickapoo
- El Paso County: Pueblo
- Tarrant County: Spanish, Vietnamese

65. **CAMPAIGNING:** What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?

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<sup>78</sup> TEX. ELEC. CODE § 64.009.

<sup>79</sup> TEX. ELEC. CODE § 64.009.

<sup>80</sup> TEX. ELEC. CODE § 64.032(c).

<sup>81</sup> TEX. ELEC. CODE §§ 64.032(a)-(b).

<sup>82</sup> 52 U.S.C.A. § 10508; TEX. ELEC. CODE §§ 272.001–272.011; Voting Act Amendments of 2016, Determinations Under Section 203, <https://www.govinfo.gov/content/pkg/FR-2016-12-05/pdf/2016-28969.pdf>.

People may not loiter or electioneer for/against any candidate, measure, or political party within 100 feet of any polling place.<sup>83</sup> The voter has a right to vote without anyone trying to influence their vote in any way while at the polling location. This specifically prohibits anyone from wearing candidates' apparel within 100 feet of a polling place, as well as the posting, use, or distribution of political signs or literature. Poll workers have the authority to enforce these rules. In addition, people may not electioneer via sound amplification within 1,000 feet of the building in which a polling place is located.<sup>84</sup>

66. **CHALLENGE:** Someone is formally challenging my vote. What should I do?

Texas allows any registered voter to “challenge” the registration of any other voter in the same county.<sup>85</sup> If a voter’s registration is challenged, the county will send them a “confirmation notice” requesting that the voter confirm their current residence. The confirmation notice must include a prepaid, preaddressed “confirmation notice response form” that provides space for the voter to confirm their current residence and submit additional voter registration information. If a voter receives one of these forms, the voter must complete, sign, and return it within 30 days of the date that the county mailed the voter the notice.

If the voter does not respond within 30 days of the date that the county mailed the voter the notice, the voter will be placed on the “suspense list.” This means that the voter can still vote, but that the voter will have to confirm their current residence before doing so. If the voter confirms their current residence by mailing back the form, the county will remove the voter’s name from the suspense list, and the voter will return to the regular list of registered voters. If the voter does not confirm their current residence and have their name removed from the “suspense list” by November 30 following the second general election, the county may cancel their voter registration.

A voter can also confirm their address in writing when they show up at the polls to vote and the voter will be removed from the suspense list that way.

A voter can also check the status of their voter registration at:

<https://teamrv-mvp.sos.texas.gov/MVP/mvp.do>.

If a voter’s registration or right to vote is being challenged or any other reason including citizenship, the voter should call the 1-866-OUR-VOTE Hotline.

67. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

Thank the caller for calling into the Hotline and let them know that we will follow up on their intel.

**\*Note to hotline volunteer:** If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

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<sup>83</sup> TEX. ELEC. CODE § 61.003. NOTWITHSTANDING MINN. VOTERS ALLIANCE V. MANSKY, 138 S. CT. 1876 (2018), THE TEXAS SECRETARY OF STATE APPEARS TO TAKE THE POSITION THAT THE BAN ON ELECTIONEERING REACHES MATERIALS EXPRESSING PREFERENCE FOR OR AGAINST CANDIDATES NOT ON THE CURRENT BALLOT. SEE STEPHANIE WHITFIELD, IS MAGA APPAREL ALLOWED IN POLLING PLACES, [HTTPS://WWW.KHOU.COM/ARTICLE/NEWS/LOCAL/IS-MAGA-APPAREL-ALLOWED-IN-POLLING-PLACES/285-609690946](https://www.khou.com/article/news/local/is-maga-apparel-allowed-in-polling-places/285-609690946) (OCT. 31, 2018). SEE ALSO [HTTPS://WWW.SOS.STATE.TX.US/ELECTIONS/LAWS/ADVISORY2018-11.SHTML](https://www.sos.state.tx.us/elections/laws/advisory2018-11.shtml).

<sup>84</sup> Tex. Elec. Code § 61.004.

<sup>85</sup> TEX. ELEC. CODE § 16.091.

68. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

Voters can determine whether they are registered by checking the Texas Secretary of State's website (<https://teamrv-mvp.sos.texas.gov/MVP/mvp.do>) or by calling the voter registrar's office in the county where they reside (phone numbers are available at <https://www.sos.state.tx.us/elections/voter/votregduties.shtml>).

Voters can confirm their status on the website by using (1) the Voter Unique Identifier (VUID), which appears on their voter registration certificate; (2) their Texas driver's license number, if they provided it when they applied for voter registration; or (3) their first and last name, county of residence, and birthdate.

If the voter is not able to confirm their registration at the polling place, the voter should request a provisional ballot as a last resort. Before receiving the provisional ballot, the voter must complete an affidavit stating that they are eligible to vote in that precinct. After the election, the Early Voting ballot board will determine whether the provisional ballot will be counted.

69. **PROVISIONAL BALLOT:** I have been offered a provisional ballot. What should I do?

**A provisional ballot should be a last resort.**

The voter should ask why they were offered a provisional ballot. Typically, a voter should be offered a provisional ballot only when:<sup>86</sup>

- The voter does not have the proper identification;
- The voter's name is not on the list of registered voters for the polling location and their voter registration cannot be verified while at the polling location; or
- The voter applied for an Early Voting/mail-in ballot and did not vote early by mail.

**Other than for these reasons, the voter should cast a regular ballot.**

Before receiving the provisional ballot, the voter must complete an affidavit stating that they are eligible to vote in that precinct. If a voter casts a provisional ballot because they do not have the required identification, an election officer must give the voter written information explaining the procedure the voter must follow to have their vote counted.<sup>87</sup> After the election, the Early Voting ballot board will determine whether the provisional ballot will be counted.

## **ACCESSIBILITY/ASSISTANCE**

70. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

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<sup>86</sup> TEX. ELEC. CODE § 63.011.

<sup>87</sup> TEX. ELEC. CODE § 63.001(g)(2).

Yes, a person of the voter’s choice—other than an employer, an agent of the employer, or an officer or agent of their union—may assist a voter in understanding the ballot.<sup>88</sup> Election workers are required to assist voters who do not choose their own assistant – on Election Day, two election workers will assist the voter.<sup>89</sup>

- *If the voter cannot speak English or communicates only with sign language*, an interpreter can assist them in communicating with election officials, regardless of whether the election official(s) attending to the voter can speak the same language as the voter. The voter may select any person other than the voter’s employer, an agent of the voter’s employer, or an officer or agent of a labor union to which the voter belongs.
- *If the voter cannot read the languages on the ballot*, the interpreter may also assist by translating the language on the ballot for the voter in the voting booth.
- *If the voter is deaf and does not have a sign language interpreter who can accompany them to help communicate with the poll worker or read the ballot*, the voter should contact his or her local election officials before the election and request assistance.
- The assistant is to take the following oath affirming they will provide only limited assistance:
  - “I swear (or affirm) under penalty of perjury that the voter I am assisting represented to me they are eligible to receive assistance; I will not suggest, by word, sign, or gesture, how the voter should vote; I will confine my assistance to reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot; I will prepare the voter's ballot as the voter directs; I did not pressure or coerce the voter into choosing me to provide assistance; I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; I will not communicate information about how the voter has voted to another person; and I understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted.”

**All counties** must provide voting materials in both English and Spanish. In addition, federal and Texas law require that bilingual ballots, instructions, voting materials, and poll workers be made available to voters who speak a different language in certain counties:<sup>90</sup>

- Harris County: Chinese (including Taiwanese), Spanish, Vietnamese
- Maverick County: Kickapoo
- El Paso County: Pueblo
- Tarrant County: Spanish, Vietnamese

#### 71. CURBSIDE VOTING: Is curbside voting available? How do I request it?

A voter who is unable to enter the polling place without personal assistance or likelihood of injuring their health may request that an election officer deliver a ballot to them at the polling place entrance or curb.<sup>91</sup> After marking the ballot, the voter can give it to an election officer to deposit it in the ballot box or the voter can request that a person accompanying them be permitted to select and cast their ballot in the ballot box instead of an election officer.<sup>92</sup> However, the voter must mark their own ballot (unless they are also entitled to “assistance” in voting, see [Question 64](#)).<sup>93</sup>

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<sup>88</sup> TEX. ELEC. CODE § 64.032(c).

<sup>89</sup> TEX. ELEC. CODE §§ 64.032(a)-(b).

<sup>90</sup> 52 U.S.C.A. § 10508; TEX. ELEC. CODE §§ 272.001–272.011; Voting Act Amendments of 2016, Determinations Under Section 203, <https://www.govinfo.gov/content/pkg/FR-2016-12-05/pdf/2016-28969.pdf>.

<sup>91</sup> TEX. ELEC. CODE § 64.009.

<sup>92</sup> TEX. ELEC. CODE § 64.009.

<sup>93</sup> TEX. ELEC. CODE § 64.009.

See also [Question 63](#) for more about curbside voting.

**72. VOTER GUIDE:** Can I bring a voting guide or reference notes with me into the voting booth?

It is strictly prohibited for voters to use electronic devices (e.g., phones, cameras, tablet computers, sound recorders) within 100 feet of voting stations.<sup>94</sup> However, voters may use written notes or materials at voting stations at the discretion of election judges and early voting clerks.<sup>95</sup> Election judges and early voting clerks may use their discretion in determining if a voter is electioneering – which is prohibited – for or against any candidate, measure or political party through the use of written materials.<sup>96</sup>

## QUESTIONS

**73. QUESTIONS:** Who should I contact if I have questions about any of the above?

For more information, the voter can:

- Reach out to their local election office: [County websites](#)
- Call the voter registrar’s office in the county where they reside (phone numbers are available at [county voter registration contacts](#) or
- Check out the TX Secretary of State’s website for voting ([votetexas.gov](#))

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<sup>94</sup> TEX. ELEC. CODE § 81.002.

<sup>95</sup> TEXAS ELECTION ADVISORY No. 2017-14, <https://www.sos.texas.gov/elections/laws/advisory2017-14.shtml>.

<sup>96</sup> TEX. ELEC. CODE § 81.002.