

Ready to help eligible Texans apply to vote by mail? Here's what you need to know:

Eligibility

Under Texas law, voters may vote by mail if they are:

- 1) 65 years or older;
- 2) Disabled;
- 3) Confined in jail, but otherwise eligible; and
- 4) Out of the county during early voting and election day

The precise language for those categories may be found in the Texas Election Code Sections 82.001-82.004. The statute reads, “a qualified voter is eligible for early voting by mail if the voter has 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 the voter’s health.”

Few specifics exist as to what “physical conditions” qualify. The Texas Supreme Court has said, “a voter can take into consideration aspects of his health and his history that are physical conditions in deciding whether, under the circumstances, to apply to vote by mail because of disability. We disagree that lack of immunity, by itself, is one of them. As we have said, the decision to apply to vote by mail based on a disability is the voter’s...elected officials have placed in the hands of the voter the determination of whether in-person voting will cause a likelihood of injury due to a physical condition.”

Obtaining an Application

If a person has access to a printer, the fastest way to obtain an application is to [download it](#), fill it out, affix a stamp, and mail it to the county [Early Voting Clerk](#). Another option is for the voter to [request](#) the Secretary of State mail one to the voter’s address. However, the voter should allow at least two additional weeks for the application to arrive. An individual voter may request up to 5 applications. A third option is to contact your [county election official](#). However, the voter will have to call or correspond by email, allow two weeks for delivery, and local practices may vary.

Deadlines

Under Texas law, applications and ballots must be RECEIVED, NOT POSTMARKED, at your county election office by the application deadline and election days, respectively.

Risks

Assisting with *an application* for vote by mail carries practically no legal risk so long as you are truthful. Almost all the regulations for vote-by-mail pertain to a person handling or assisting with *the ballot* of a voter that is not a family member. If an applicant you are helping asks whether they qualify as disabled, the safest and most truthful answer is: “*I don’t know. Read the law for yourself at Section 82.002, Election Code, and decide if it applies to your private medical history.*”