Voting by Mail in Texas 2020

THE DEFINITIVE GUIDE
TEXAS LAW AND VBM
A Guide for Voters

A voter wishing to vote by mail must be registered, eligible, apply for, and cast a ballot. An application to vote by mail will be verified against the county’s voter rolls before a ballot is issued.

1. Eligibility

In Texas, five categories of registered voters are eligible to vote by mail. Registered voters who are:

1) 65 years or older; 43
2) Disabled; 44
3) Confined in jail, but otherwise eligible; 45
4) Out of the county during early voting and election day; 46 and
5) participating in a witness protection program. 47

The precise language defining these categories may be found in the Texas Election Code Sections 82.001-82.004.

Who qualifies as “disabled” has been the subject of extensive litigation. 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 potential to contract COVID-19 during in-person voting has created new questions about who qualifies under the category of disability.

Regarding this, 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... [T]he Election Code does not require election clerks to ‘investigate each applicant’s disability.’ Indeed, the Legislature rejected the requirement of a physician’s proof of disability for mail-in voting applications when it amended the Election Code in 1981... The 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.” 48

2. Applying

The fastest way to obtain an application to vote by mail is to download it, fill it out, affix a stamp, and mail it to the Early Voting Clerk in the county of the voter’s residence. Another option is for the voter to request the Secretary of State mail one to the voter’s address. However, the voter should pay attention to deadlines and allow at least three weeks for the application to arrive. An individual voter may request up to five applications. A third option for the voter is to contact the county election official. However, the voter will have to call or correspond by email, allow three weeks for delivery, and local practices may vary regarding the number of applications an individual may receive.

The application for a ballot by mail must be received—not postmarked—by the county

42 Tex. Election Code §86.001(e) (Vernon 2020).
43 Tex. Election Code §82.003 (Vernon 2020).
44 Tex. Election Code §82.002 (Vernon 2020).
45 Tex. Election Code §82.004 (Vernon 2020).
46 Tex. Election Code §82.001 (Vernon 2020).
47 https://www.txcourts.gov/media/1446714/200394c3.pdf
49 Tex. Election Code §84.007(c) (Vernon 2020).
50 Tex. Election Code §84.008 (Vernon 2020).
election office no later than the 11th day before election day, which is October 23, 2020, for the upcoming general election. A voter can also personally deliver an application to the early voting clerk if early voting has not yet begun and the deadline to apply is worryingly close. For the July 14 Primary Runoff, the Governor extended early voting by one week. This led to the unusual situation where after June 29, 2020, a person could not hand deliver an application to the county, but could still mail it in and hope it was received by July 2. In previous election cycles, a person could fax or email a scanned application to vote. However, during the special session after the 85th Legislature, lawmakers passed SB 5, which effectively disallowed faxed or emailed voting applications.

Voter error on applications to vote by mail are common. If information provided on the application conflicts with the voter’s current registration, the application will be denied. State law requires that the county contact the applicant and state a reason for the rejection, which may allow a defective application to be cured, but there also may not be time for this if the correspondence is close to the deadline. In such a situation, a voter should go in-person to the polls during early voting or Election Day.

Another common problem that arose in the July Primary Runoff was that a voter would apply to be an annual voter and wish to vote in the primary, but forget to mark the party primary of the voter’s choice. In such situations, the county would not know to send a primary ballot. Additional confusion occurred in Travis County where a special election for a state senate seat was concurrently occurring. Voters in Travis County would realize their mistake when a ballot arrived with only the special election race on the ballot and not the runoff races. In such a situation, a voter should take the mail-in ballot to their polling location during early voting or Election Day, and tell the election worker that the voter wishes to “surrender” the mail-in ballot and vote in-person. The election worker will have the voter fill out a form cancelling the mail-in ballot, and set the voter up to cast a ballot in-person.

**Ballot Tracking**

On occasion, an error can take place in the mailing process, such as the county failing to receive the application or failing to send a ballot, or the U.S. postal service failing to deliver the ballot to the voter. Texas does not track ballots sent by mail to domestic voters. The federal 2009 Military and Overseas Voter Empowerment Act required states to develop a free access system so military and overseas voters could determine whether their ballot had reached the election official and if it had been counted. States are allowed to choose whether to create an online tracking system or provide a phone system. Thirty-two states developed online systems. Texas created an online system, but unlike fifteen other states that made it available for all mail-in ballots, Texas’s system is for military and overseas voters only.

Texas law lacks a satisfying remedy in these instances. If there is ample time, a voter can call the county and ask about the status of their application. Such a call might clarify if the application was received or a ballot was sent. Nevertheless, county employees are busy during election season and could be overwhelmed with the volume of such calls. In a worst-case scenario where the application has been received and a ballot sent by the county, but the ballot never arrives at the voter’s house, then the voter should go in-person to the polling place with proper voter identification and vote provisionally. When voting provisionally, a voter must fill out a sworn affidavit explaining the circumstances. Notably, this differs from a situation where a ballot arrives at the voter’s house late, which is covered in Section Three.

---

51 Tex. Election Code § 86.001 & 86.008 (Vernon 2020).
54 Tex. Election Code § 84.032(c) (Vernon 2020).
TEKSAS LAW AND VBM
A Guide for Voters (cont.)

3. Casting a Ballot

After the county election administrator verifies the information on the application against voter rolls, a ballot will be mailed to the voter.

To cast a ballot by mail, the voter must:

- Mark the ballot;
- Place the ballot in the ballot envelope for secrecy;
- Seal the ballot envelope;
- Place the ballot envelope in the carrier envelope;
- Seal the carrier envelope;
- Sign the back of the carrier envelope;
- Affix postage; and
- Drop the stamped carrier envelope in the mail.

Once the carrier envelope is sealed and signed, it may not be reopened. Once sealed, the voter must also sign the back of the carrier envelope. Reopening or failing to sign the carrier envelope will invalidate the ballot. While 19 states require voters to be notified and given an opportunity to cure mistakes on mail-in ballots, Texas is not one of them. Also, in Texas, postage for a mail-in ballot is not paid as it is for voters in 17 other states and for non-domestic voters in every state. One solution to not paying postage is to make drop boxes widely available. However, Texas requires a mail-in ballot be dropped off in person with the early voting clerk on Election Day.

Sometimes, a voter may receive a mail-in ballot late, meaning close enough to the legal deadlines that a voter is concerned that the postal service will not deliver a ballot to the county in time. Legally, in Texas, carrier envelopes must be postmarked on or before election day and received by 5:00 p.m. the day after the election. Practically, however, a ballot mailed on election day is unlikely to be received in time to be counted. Even before the pandemic, the U.S. Postal Service recommended that voters mail their ballots at least a week before ballots are due because of increased mail demands around the time of an election. Additionally, in mid-April, nearly 500 postal workers have tested positive for COVID-19, more than 6,000 are in self-quarantine due to exposure, and the federal government has not acted to shore up the postal service’s decades-long budget struggles. In Wisconsin’s primary in April, 108,000 mail-in ballots were received by elections.
officials after Election Day. Additionally, in July, reports surfaced that the Trump Administration is making operational changes to the postal service which would slow mail delivery. If a voter receives a ballot late, then a voter should drop off the mail-in ballot in-person with the early voting clerk—remembering to bring proper voter ID—on Election Day. The early voting clerk’s address is printed on the carrier envelope.

A voter may also surrender the mail-in ballot and vote in-person at their precinct or county-wide vote center, depending on their county. However, if at all possible, the voter should hand-deliver the sealed carrier envelope to the early-voting clerk. When a ballot by mail has been issued, the county has recorded it in their voter registration list. Surrendering the mail-in ballot to the election judge to vote in person will require the election judge to go through several time-consuming steps to cancel the mail-in ballot and get the voter set up to vote in-person. With all the new procedures required at polling places for election judges to keep the public safe due to COVID-19, it would be very helpful to election administrators and other voters for a mail-in ballot to be dropped off with the county’s early voting clerk instead.

4. Counting Ballots

Exactly how votes are tabulated varies by county. However, the state does supervise and set standards for voting systems, and each voting system permitted by state law is governed under Title 8 of the Election Code. For example, for the March 3, 2020, primary, Travis County used an electronic voting system and a central counting station. Under state law, Travis County submitted a written plan to the Secretary of State. Those plans are public information and must be made available to the public upon request by 5:00 p.m. on the fifth day before the date of the election.

Mail-in ballots are part of the early vote total, and counties integrate the delivery and processing of mail-in ballots into their overall plan for processing all early votes. Variations on the timing of delivery and processing also depend on the size of the county. Texas counties range in population from 103 people to more than 4.7 million people.

While the Election Code provides flexibility, some things are uniform across the state. Each county has an early voting clerk, a county election board, and an early voting ballot board. A county election board consists of the county judge, the county clerk, the voter registrar, the sheriff, and the county chair of each political party required to nominate candidates by primary election. The county clerk chairs the county election board. In a general election, the county election board appoints the early voting ballot board from a list provided by the county chair of each political party with nominees on the ballot. By law, the county election board shall appoint at least one person from each list, and the same number of members must be appointed from each list. Each member of the early voting ballot board must be a qualified voter in the county.

The early voting ballot board is an important link in the chain of custody. Each member swears an oath never to be alone with a

---

63 Tex. Election Code §86.001(g) (Vernon 2020).
64 Tex. Election Code §122.001 (Vernon 2020).
68 https://demographics.texas.gov/Data/TPEPP/Estimates/
69 Tex. Election Code §87.001 (Vernon 2020).
TEKSAS LAW AND VBM
A Guide for Voters (cont.)

ballot and to work in a buddy system with a member of a different political party. Unless expressly authorized by the Election Code, no one is permitted in the meeting place of the early voting ballot board except members of the board. Each member wears special identification. Early voting ballot boxes have two locks and different keys. One key is kept by the early voting clerk and the other is kept by the custodian of keys until the time arrives to give that key to the presiding judge. The ballot boxes are also sealed to detect any unauthorized opening of the box, the ballot slot can be sealed to prevent any unauthorized deposit in the box, and the seals have serial numbers for each election.

One of the primary features of Texas mail-in ballots is signature verification. The early voting ballot board determines a signature’s validity unless the early voting clerk decides

da signature verification committee is necessary in any election, or 15 registered voters in the county during a general election request the appointment of a signature verification committee. If a signature verification committee is ordered in a general election, then the county election board—the county judge, county clerk, voter registrar, sheriff, and county chair of each political party—appoint the committee. A signature verification committee must consist of at least 5 members. When a signature verification committee is larger than 12, it may divide into subcommittees. Those members must be registered voters in the county.

A signature verification committee compares the signature on the carrier envelope with the signature on the voter’s ballot application. The committee may also compare the signatures with any two or more signatures of the voter made within the preceding six years and on file with the county clerk or voter registrar. The committee decides if the signature is not that of the voter’s by majority vote, or a majority vote of the subcommittee.

The carrier envelopes and applications of voters whose signatures were rejected are placed into separate containers and delivered to the early voting ballot board. If a signature verification committee has verified a signature, the early voting ballot board may not review that decision. However, when a signature verification committee has rejected a signature, the early voting ballot board may overrule the committee by a majority vote.

75 Tex. Election Code §87.003 (Vernon 2020).
77 Tex. Election Code §§85.032(c) & 87.021 (Vernon 2020).
78 Tex. Election Code §85.032(c) (Vernon 2020).
79 Tex. Election Code §§85.032(d) & 87.063 (Vernon 2020).
83 Tex. Election Code §87.027(b) (Vernon 2020).
84 Tex. Election Code §87.027(d) and (l) (Vernon 2020).
The early voting ballot board places the carrier envelope containing the rejected ballot and the application for a ballot by mail into envelopes that are sealed, and keeps a record of the number of rejected ballots in each envelope.\textsuperscript{89} Those sealed rejected-ballot envelopes are delivered to the general custodian of election records. While Texas law requires that a county inform the voter if a ballot was rejected, there is no opportunity to cure or appeal.\textsuperscript{90} In theory, a voter could persuade their county election officer to petition a district court if the county election officer determines a ballot was incorrectly rejected or accepted by the early voting ballot board before the time set for convening the canvassing authority.\textsuperscript{91} In reality, a canvassing authority conducts a local canvass between the third and 11th days after an election,\textsuperscript{92} and a voter does not have to be made aware that their ballot was rejected until the 10th day after an election—plus however long it takes the U.S. Postal Service to deliver that notice.\textsuperscript{93}

Signature verification is criticized—and the subject of litigation—because it disproportionately affects many of the disabled and elderly voters that mail-in voting is meant to enfranchise. Additionally, people commonly break their dominant hand, change their name, lose their eyesight, or develop health conditions like a tremor that affect their ability to write their signature. Members of a signature verification committee are not trained, nor have expertise, in handwriting analysis. Reports and litigation briefs suggest that signature verification committees in other states disproportionately struggle to verify signatures from voters with racially or ethnically identifiable names.\textsuperscript{94}

Once the signature is verified and meets all the legal requirements, the early voting ballot board opens the carrier envelope, and depending on the county, places the ballot envelope in the ballot box with the other early voting by personal appearance ballots or a separate container that goes to a counting station.\textsuperscript{95} Then, at the appropriate time depending on the county, the early voting ballot board opens the box, removes the contents, opens the ballot envelopes, and then tabulates the results.\textsuperscript{96}

The security of mail-in balloting varies by state. Some of the states that are the most secure employ chain of custody procedures, bipartisan teams to handle ballots, security cameras, activity logs, bar codes, ballot tracking, and meaningful penalties. Texas employs chain of custody procedures, bipartisan teams, and has meaningful criminal penalties. According to

\textsuperscript{88} Tex. Election Code §87.027(j) (Vernon 2020).
\textsuperscript{89} Tex. Election Code §§87.043 and 87.044 (Vernon 2020).
\textsuperscript{90} Tex. Election Code §87.0431 (Vernon 2020).
\textsuperscript{91} Tex. Election Code §87.127(a) (Vernon 2020).
\textsuperscript{92} Tex. Election Code §67.003 (Vernon 2020).
\textsuperscript{93} Tex. Election Code §87.0431 (Vernon 2020).
\textsuperscript{94} Lewis v. Hughes, 5:20-cv-00577, Western District of Texas, San Antonio Division, (plaintiffs’ initial complaint at p.33); see also the ACLU of Florida's report available online at aclu_florida_-_report_on_vote-by-mail_ballots_in_the_2018.pdf.
\textsuperscript{95} Tex. Election Code §§87.041, 87.042(b)&(c) (Vernon 2020).
\textsuperscript{96} Tex. Election Code §§87.061—87.104 (Vernon 2020).
TExAS LAw AND VbM
A Guide for Voters (cont.)

The Texas Attorney General, Texas has over 100 different criminal offenses in the Election Code. The Texas Attorney General has concurrent prosecution authority with local elected prosecutors over the election laws. Since 2004, the Attorney General’s Office has prosecuted 457 cases. Security cameras, activity logs, and bar codes are not required by statute, but may be used in some counties. Texas does not employ ballot tracking, except for military and overseas voters.

Critics of voting by mail rarely question the integrity of the process once the ballot arrives at the county election office. There are so many eyes on the process from unrelated people that tampering with an election result is practically impossible. One vulnerability is for politically motivated disenfranchisement due to racial bias with the signature verification committee or the early voting ballot board. However, most of the allegations from the critics fixate on voter assistance and increasingly on the application process itself.

A Guide for Volunteers

1. Assisting with the Application
In Texas, assisting a voter with an application for vote by mail carries very little legal risk so long as you are truthful and have the authorization of the voter. If a voter asks whether they qualify as disabled, then the safest and most truthful answer is “I do not know. Read the law for yourself at Section 82.002, Election Code and decide if it applies to your private medical history.”

2. Assisting with the Ballot
There is nothing wrong with encouraging a person to vote. Recently, however, those wishing to discredit voting by mail often employ the ambiguous term “ballot harvesting.” “Ballot harvesting” is a pejorative term meant to falsely equate illegal and illegitimate ballot tampering with legal and legitimate voter assistance. There are a number of laws meant to protect the elderly and disabled from ballot tampering.

Voter assistance for in-person voting is regulated under Sections 64.031 thru 64.037 of the Texas Election Code. A person can assist an elderly or disabled person with a ballot by mail just like a person would assist a voter at an in-person polling place. With mail-in ballots, tampering most often occurs at two different points in the process: filling out the ballot and

97 https://www.texasattorneygeneral.gov/initiatives/election-integrity
98 https://www.texasattorneygeneral.gov/initiatives/election-integrity
100 Tex. Election Code §84.0041 (Vernon 2020).
101 https://www.brennancenter.org/our-work/research-
ensuring the carrier envelope makes it to the mailbox. To protect the elderly and disabled, Texas Election Code Section 86.010 and Section 86.0051 requires the assister to also sign the relevant sections of the voter’s carrier envelope disclosing the assistance. Finally, volunteers may not deliver mail-in ballots to the early voting clerk’s office so they do not get lost in the mail. It is a criminal offense to possess a ballot that belongs to another person.102 The actual voter must appear in-person, on Election Day, and with proper voter ID.103

Additionally, the Legislature has passed legislation to prevent unsavory practices. While it has long been illegal to possess a ballot that belongs to another, some exceptions apply for family, those that live in the same dwelling, and lawful voter assistance, which includes following the proper procedures to witness a signature and deposit the envelope in the mailbox.104 In 2011, it was alleged that “ballot harvesters” knew not to carry 20 or more carrier envelopes at one time in order to avoid enhanced felony charges.105 Whether this allegation was true or not, the Legislature passed HB 2449 to allow the aggregation of separate misdemeanor offenses into one felony offense. In 2013, it was alleged that “in certain localities, individuals receive compensation for harvesting mail-in ballots.”106 In response, the Legislature passed HB 148 prohibiting compensation for assisting with filling out the ballot or mailing the carrier envelope.107 Finally, SB 5 was passed in the special session of the 85th Legislature in 2017, which empowered the Attorney General to prosecute a broad, new criminal statute for “election fraud”; enhanced a number of criminal

penalties related to mail-in ballots; expanded the ability for an early-voting ballot board to reject a ballot on signature verification grounds; and required counties to notify the attorney general of all rejected ballots.

Despite all this legislative attention, in reality voter fraud is essentially a non-issue. None of the five states that hold their elections primarily by mail have had any voter fraud of any significance that would threaten the integrity of an election since making the switch. Oregon—one of those five states—has sent out more than 100 million mail-in ballots since 2000, and has documented only a dozen cases of fraud.108

reports/dirty-tricks-eight-falsehoods-could-undermine-2020-election
108 https://www.brennancenter.org/our-work/analysis-opinion/false-narrative-vote-mail-fraud
Guidance on Mail-in Ballot Cancellation
Based on Section 84.032 of the Texas Election Code

Just one week into early voting, we have received a number of questions about how to cancel a mail-in ballot and vote in-person instead. We've also observed some really bad advice on social media. The following information is thoroughly researched and reliable.

1. If at all possible, don’t cancel your mail-in ballot!

If you are worried about the postal service, then deliver your mail-in ballot in-person to your county elections office. While every county differs, odds are there will be less human-to-human contact in hand-delivering your mail-in ballot than voting in-person. In fact, many of the urban counties have set up drive-through stations to accept mail-in ballots.

2. Whatever you do, don’t throw away your mail-in ballot!

If for some reason it is not possible to vote your mail-in ballot, then take your mail-in ballot with you to vote in-person.

“Surrendering” it with the election judge is the next-easiest procedure. The judge will take your mail-in ballot, cancel it, and then set you up to vote in-person. So do NOT throw away your mail-in ballot! If you ripped it up, then tape it back together and take it with you. Tex. Elec. Code §84.032(d).

3. If you really do not have your mail-in ballot—or it just never arrived in the mail—then you have three options:

Option 1: Go to the polls and vote provisionally. The affidavit that accompanies a provisional ballot will cancel the mail-in ballot. Your vote should count so long as that mail-in ballot does not also arrive at the county.

Option 2a: Cancelling a lost ballot DURING EARLY VOTING. Go to your county elections office and make a “request for cancellation.” You may want to take a copy of Section 84.032 with you since this is arcane. Assuming you meet all the requirements prescribed by Tex. Elec. Code 84.032(b), then you should be able to go to your polling location and vote a regular ballot.

Option 2b: Your mail-in ballot never arrives by ELECTION DAY. Go to your county elections office and ask to execute an affidavit stating that you never received your mail-in ballot. Again, you may want to take a copy of Section 84.032 with you since this is arcane. That should cancel out a ballot lost by the U.S. Postal Service, and enable you to vote regular ballot. Tex. Elec. Code 84.032(c). NOTE: you should call days before Election Day to confirm your application for ballot by mail was approved and a ballot was sent. You will need to be in line at your polling location to vote in-person by 7 pm so do this first thing in the morning.

Administering an election is challenging. If at all possible, vote your mail-in ballot so you are not contributing to delays and bureaucratic confusion during the election.
Sec. 84.032. REQUEST FOR CANCELLATION. (a) A person desiring to cancel the person’s application for a ballot to be voted by mail must submit a request for the cancellation to an election official as provided by this section.

(b) A request must:

(1) be in writing and signed by the applicant;
(2) specify the election for which the application was made; and
(3) except as provided by Subsection (c), (d), or (e), be received by the early voting clerk:
   (A) not later than the third day before election day; and
   (B) if an early voting ballot sent to the applicant is returned to the clerk as a marked ballot, before the marked ballot’s arrival at the address on the carrier envelope.

(c) An applicant may submit a request after the close of early voting by personal appearance by appearing in person and:
   (1) returning the ballot to be voted by mail to the early voting clerk; or
   (2) executing an affidavit that the applicant:
      (A) has not received the ballot to be voted by mail; or
      (B) never requested a ballot to be voted by mail.

(d) An applicant may also submit a request by appearing in person and returning the ballot to be voted by mail or presenting a notice received under Section 86.006(h) to:
   (1) the early voting clerk or deputy early voting clerk at any polling place that is open for early voting by personal appearance; or
   (2) the presiding election judge on election day at the applicant’s precinct polling place.

(e) An applicant may also submit a request at any time after the early voting ballot is returned to the early voting clerk as a marked ballot and before the ballot is delivered to the early voting ballot board by appearing in person and executing an affidavit that the applicant did not mark the ballot.

(f) A request for cancellation in a manner other than as authorized by this section, including a request by letter, has no effect.
DO YOU PLAN TO VOTE BY MAIL OR IN-PERSON IN TEXAS?

IN-PERSON

HAVE YOU CONFIRMED YOUR REGISTRATION?
HTTPS://TEAMRVMVP.SOS.TEXAS.GOV/MVP/BACK2HOMEPAGE.DOC

DO YOU HAVE A VALID VOTER ID?
HTTPS://WWW.VOTETEXAS.GOV/MOBILE/ID-FAQS.HTM

WHERE IS YOUR POLLING LOCATION?
FIND YOUR LOCATION:
HTTPS://TEAMRVMVP.SOS.TEXAS.GOV/MVP/MVP.DOC
LIST OF COUNTIES WITH COUNTY-WIDE POLLING:
HTTPS://WWW.SOS.STATE.TX.US/ELECTIONS/LAWS/COUNTYWIDEPOLLINGPLACE.PROGRAM.SHTML

WHAT DAY/TIME DO YOU PLAN TO GO?

DO YOU NEED TO TAKE OFF WORK OR OBTAIN CHILDCARE?

HOW WILL YOU GET THERE?

CHECKLIST OF ITEMS TO BRING:
1) MASK AND/OR FACE SHIELD
2) SANITIZER
3) PEN
4) VOTER ID
5) HAND PROTECTION

BY MAIL

HAVE YOU APPLIED?

NO =
DO YOU HAVE A VALID VOTER ID?
HTTPS://WWW.VOTETEXAS.GOV/MOBILE/ID-FAQS.HTM

WHERE IS YOUR POLLING LOCATION?
FIND YOUR LOCATION:
HTTPS://TEAMRVMVP.SOS.TEXAS.GOV/MVP/MVP.DOC
LIST OF COUNTIES WITH COUNTY-WIDE POLLING:
HTTPS://WWW.SOS.STATE.TX.US/ELECTIONS/LAWS/COUNTYWIDEPOLLINGPLACE.PROGRAM.SHTML

WHAT DAY/TIME DO YOU PLAN TO GO?

DO YOU NEED TO TAKE OFF WORK OR OBTAIN CHILDCARE?

HOW WILL YOU GET THERE?

CHECKLIST OF ITEMS TO BRING:
1) MASK AND/OR FACE SHIELD
2) SANITIZER
3) PEN
4) VOTER ID
5) HAND PROTECTION

YES =
HAVE YOU MAILED IT YET?
WE RECOMMEND MAILING IT ASAP BUT NO LATER THAN OCT. 20

NO =
I"M WORRIED ABOUT THE MAIL

TAKE THE BALLOT WITH YOU TO YOUR POLLING PLACE-SURRENDER IT TO AN ELECTION JUDGE AND VOTE IN-PERSON

DELIVER TO COUNTY ELECTION OFFICE
CLICK HERE FOR COUNTY ELECTION OFFICE INFO

* SEE ATTACHED SUPPLEMENTAL GUIDANCE IF YOU HAVEN"T RECEIVED YOUR MAIL-IN BALLOT.
Supplemental Guidance for Voting by Mail in Texas in 2020

If you have applied to vote by mail, but have not received your mail-in ballot, then you may have concerns about whether your ballot will arrive in time or the application was ever received at all. Texas law lacks a satisfying remedy if the ballot never arrives, and does not provide ballot tracking for domestic voters.

This guidance is not legal advice. These are recommendations meant to maximize the probabilities that your mail-in ballot will arrive before the legal deadline.

October 5: While the legal deadline for an application to be RECEIVED is October 23, we do not recommend applying to vote by mail after October 5 for the November 3, 2020 General Election. The voter should make a plan to vote in-person.

October 13: If you applied before October 5, and have not received a mail-in ballot, then it is time to call your county election’s office to find out the status of your application and when a ballot will be mailed.

October 20: If your ballot arrives before October 20, then it will have more than two weeks to make it through the mail to your county elections office in time to be counted. The U.S. Postal Service recommends that voters mail their ballots at least a week before ballots are due. Our two-week recommendation is intentionally more conservative.

October 21: If a ballot arrives after October 20, then the voter should consider bypassing the U.S. Postal Service and delivering the mail-in ballot to your county elections office. You may deliver your mail-in ballot to your county elections office at any time before the polls close on election day if you have your voter ID. Your county elections office is the address written on the carrier envelope. Do NOT take any other voter’s ballot for them. It is a criminal offense. Each voter must personally appear and present your voter ID.

If you live a significant distance away from the county election office, then a voter may “surrender” the mail-in ballot and vote in-person. Take the mail-in ballot to your early voting location, then inform the election judge that you would like to surrender your mail-in ballot and vote in-person.

If at all possible, please deliver the mail-in ballot in-person or surrender and vote in-person before election day so you do not slow down the lines to vote.

November 3: If a ballot does not arrive by election day, then go in-person to your polling location, explain the situation to the election judge, refuse to leave until they have confirmed the situation with the county, and do not leave until you have at least voted provisionally.