

# State of Play: Elections

## What Happened in the 89th Texas Legislature and What Comes Next

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**F**or people of faith, voting is not only a constitutional right; it is a moral responsibility rooted in our shared commitment to justice, dignity, and the common good. Our faith traditions repeatedly call us to seek the welfare of our communities and to ensure that the voices of the vulnerable are heard. In Texas, where laws governing elections continue to evolve, faith communities play a vital role in helping voters understand their rights and navigate changes that may affect access to the ballot.

The most recent legislative session, subsequent special sessions, and constitutional amendment election brought a host of changes and a mix of outcomes related to elections and voting. Fortunately, many of the more egregious proposals that were filed last year did not become law.

At the same time, several new laws enacted changes that will affect how Texans vote—particularly seniors, voters with disabilities, and those who rely on vote-by-mail. Important election-related issues also were debated in special sessions, and major court cases still loom that could reshape the electoral landscape ahead of the 2026 primaries and midterm elections.

### **New Laws Affecting Voters**

#### **Curbside Voting Restrictions**

Texas law has long allowed curbside voting for individuals who are physically unable to enter a polling place. During the most recent session, House Bill 511 added new requirements for voters using this option. Voters must now sign a form, under penalty of perjury, affirming that they cannot enter the polling place without personal assistance or without risking injury to their health. In addition, if a voter arrives with a driver, election officials are required to ask that driver whether they have transported anyone else to the polls. The driver must then sign a form providing their name and address and affirming that they are assisting a voter.

These requirements do not affect church-based “Souls to the Polls” efforts or group transportation programs. They apply only to voters who must use curbside voting because they cannot physically enter the polling place. Even so, faith leaders should be aware that these added steps may feel intimidating to some elderly or disabled voters and may discourage participation if not clearly explained.

## **Early Voting: Expanded Access with Caveats**

Early voting in Texas—traditionally a 12-day period before Election Day—has been reshaped. The new law shifts the early voting window later and removes the three-day gap between the end of early voting and Election Day. Importantly, the change adds another weekend of early voting access.

The law also expands Sunday voting hours—requiring polling locations to be open for nine hours instead of six—and mandates that early voting remain open on any holidays that fall within the early voting period.

While these changes increase access in some respects, it is worth noting that the original version of the bill sought to eliminate countywide voting, which allows voters to cast a ballot at any polling location within their county. After significant pushback from counties and election advocates like you who emphasized that vote centers save money and increase convenience, the proposal was amended. The preservation of vote centers reflects the impact of sustained advocacy. Well done!

## **Improvements to Vote-by-Mail**

Two bipartisan bills passed that improve the vote-by-mail process beginning in September, which is in time for the November 2026 election. For faith communities that serve seniors, people with disabilities, and multilingual congregations, these improvements are meaningful and worth lifting up.

- Senate Bill 2964 allows election officials to contact voters by phone or email if their mail ballot application or ballot contains an error. Voters may then correct the issue by mail or in person, addressing a major cause of ballot rejections in recent elections.
- House Bill 2259 requires vote-by-mail application instructions to be printed in larger, more legible type and made available in multiple languages appropriate to Texas' demographics.

Every proposed constitutional amendment in the November 4 election passed, including Proposition 16, which states that only U.S. citizens can vote in Texas elections. The measure appears to reinforce the integrity of elections by reaffirming existing law that limits voting in Texas to U.S. citizens. However, one significant implication could be a further restriction on municipalities' authority over local election policies. The amendment adds explicit language to the Texas Constitution, stating that, "persons who are not citizens of the United States" may not vote in the state.

The Texas Tribune reported that though U.S. citizenship is already required to register to vote in Texas, this amendment aims to prevent local governments in Texas from allowing local residents who are not citizens to vote in local elections and comes in response to other states passing such policies.

## What Didn't Pass—and Why It Matters

Several bills that raised serious concerns did not become law:

- Proposals requiring documentary proof of citizenship to register or vote.
- “Use it or lose it” bills that would have removed voters from the rolls for infrequent voting.
- Bills prohibiting ranked-choice voting.
- A proposal allowing guns in polling places.

Additionally, House Bill 311—which would have established online voter registration—received a hearing but did not advance out of committee. Texas remains one of the few states without online voter registration, despite 42 states offering it.

The fact that these bills did not pass underscores an important reality: advocacy matters. Harmful proposals can be stopped, and constructive reforms can gain traction when communities—including faith communities—engage consistently.

## Redistricting, Primaries, and What Faith Communities Are Watching

### Redistricting and the Courts

The Texas Legislature passed a new congressional map designed to deliver additional seats to the Republican Party and strengthen partisan performance in several districts. Hundreds of voters, redistricting experts, and community leaders testified that the map dilutes the voting power of Black and Hispanic Texans and undermines communities' ability to elect candidates of their choosing.

A three-judge federal panel in El Paso ruled that the map constitutes illegal racial gerrymandering and barred the state from using it in the 2026 elections. Afterwards, however, the U.S. Supreme Court intervened — first via an emergency stay by Justice Alito and then by a broader stay from the full court — allowing Texas to proceed under the contested map for now.

The U.S. Supreme Court's order keeps the 2025 map in place for the 2026 elections while the underlying legal challenge continues. The high court has not yet ruled on the full merits of whether the map actually violates the law; it has only ruled on the emergency stay request to keep the map in effect.

### Voter Rolls and Citizenship Claims

There have been increased efforts by state legislators as well as the Trump administration to “clean” voter rolls using federal databases. Out of more than 18 million registered Texas voters, 2,724 were flagged as potential noncitizens—about 0.015%. Early reviews

have already shown errors, with some flagged voters confirmed to be U.S. citizens.

In December, the Texas Secretary of State office, complying with the Trump administration's demand for access to data from the nation's voting records, turned over the state's voter roll to the U.S. Justice Department. According to Assistant Attorney General Harmeet K. Dhillon, Texas is one of 13 states to voluntarily agree to turn over its voter rolls. Other states are resisting, arguing that states are responsible for voter registration and are barred by state and federal law from sharing certain private information about voters. The shared voter information included dates of birth, driver's license numbers and the last four digits of voters' Social Security numbers.

Besides the legal concerns, the practical concerns of such an action is that in its attempt to "scrub" the voter rolls of any illegally registered voter, legitimately registered citizens will be inadvertently knocked off the list for things like incorrect mailing addresses or mismatched names (i.e. listing "Tom Jones" rather than "Thomas Jones"). In fact, Votebeat Texas learned that at least six people flagged as potential noncitizens have confirmed that they are, in fact, U.S. citizens. Checking your voter registration regularly prior to an election will increase your chances of correcting any errors if you are mistakenly flagged as a noncitizen.

## **Open vs. Closed Primaries**

Texas currently operates under an open primary system, allowing voters to choose which party's primary to vote in without declaring party affiliation. A lawsuit filed by the Republican Party of Texas and supported by Attorney General Ken Paxton seeks to close the primaries. It argues that open primaries violate the party's freedom of association.

Texas Secretary of State Jane Nelson is opposing this effort, and the issue is being closely watched by election advocates. A shift to closed primaries would cause staggering and expensive changes in county election administration and dramatically impact voter participation.

## **Faithful Engagement Going Forward**

Texas is at a pivotal moment for voting rights and election administration. Some changes expand access; others add new hurdles. Court decisions, redistricting outcomes, and debates over primaries and voter rolls will shape who participates and whose voices are heard.

For people of faith, the response is clear: Stay informed, help our neighbors navigate the process, and continue teaching that voting is both a right and a responsibility. As we prepare for the March 3, 2026 primaries and beyond, now is the time for congregations to encourage voter registration checks, encourage voter education, and mobilize voters in March with every resource at our disposal.

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Texas Impact equips people of faith and conscience with information, opportunities, and outreach tools to educate their communities and engage with lawmakers on pressing public policy issues.