



Texas Secretary of State
ELECTIONS DIVISION



Processing a Voter Who Has Moved within the County (Fail-Safe Voting)



Residency Requirements for Voting

Upon approval of a registration application, a voter's registration becomes effective on the 30th day after submission. (Sec. 13.143)

An election officer must ask a voter at check-in if the voter's residence address on the list of registered voters is current. (Sec. 63.0011)

- If the voter's registration is not current due to a change of residence within the county of registration, the voter may vote at the precinct of their former residence.
 - Political subdivision elections → Voter must still reside in the political subdivision
 - Less-than-countywide election → Voter must still reside in territory covered by election



Residency Requirements for Voting

Additionally, a voter who has changed their residence address to another election precinct in the county but does not have effective registration in the new precinct may vote in the election precinct of the voter's former residence until that registration in the new precinct becomes effective. (Sec. 11.004)



Procedure for Accepting Voter

A voter who has changed their residence address within their county of registration but has not updated their voter registration or for whom the updated registration will not be effective for election day must execute a Statement of Residence. (Form 21-6, [Election Forms Index](#))

To receive a full ballot, the voter must still reside in the political subdivision after changing residence addresses (for a political subdivision election) or in the territory covered by the election (for a less-than-countywide election ordered by a county authority or the governor).

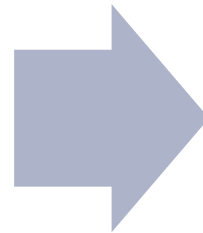
For this reason, we recommend that ballot styles be created/programmed for all geographic combinations in the county.



Other Considerations

These procedures for voting only apply to precinct-based counties on election day.

- Because a voter may vote at any early voting location in the county of registration, this procedure would occur at ANY early voting location regardless of the precinct of the voter's current or former residence address.
- Similarly, for countywide polling place counties, a voter can vote at any polling place in the county of registration on election day. This procedure would occur at ANY countywide polling location regardless of the precinct of the voter's current or former residence address.



Fail-safe voting **NOT** available for voters who have moved outside the county of registration.



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Fail-Safe Scenarios



Scenario #1: City and County Voter moves within City

Voter is registered to vote and resides in the City of Example in Example County, Texas. City of Example is wholly within one of each county commissioner, justice of the peace and constable precinct. The city elects all members of its governing body at-large. Prior to an upcoming general election for city council and the general election for county officers, the voter moved to a different address on the opposite side of the City of Example. The voter either did not update their registration address with the county voter registrar by the voter registration deadline or updated their residence address after the voter registration deadline had passed. On election day, the voter offers to vote at the polling place associated with their new residence address and informs an election official at the polling place that they have moved within the county and city.



Scenario #1: City and County Voter moves within City

In this scenario, the voter should be directed to vote at the polling place associated with their previous residence address. Upon offering to vote at the polling place associated with their previous address, the voter must complete the Statement of Residence. If otherwise eligible to vote, the voter receives a full ballot for the general election for state and county officers and a full ballot for the city general election because the voter's previous residence address and the voter's new residence address are all within the same territories covered by the elections, which include the City of Example and the same county commissioner, justice of the peace and constable precinct. This scenario illustrates Section 63.0011(b)(1) because the voter still resides in the city after changing residence addresses.



Scenario #1: City and County Voter moves within City

	Example County	City of Example
Scenario #1	Voter receives full county general election ballot	Voter receives full city general election ballot



Scenario #2: City and County Voter moves to different single-member district and precinct

Voter is registered to vote in the City of Example in Example County, Texas. The City of Example is divided between two county commissioner court precincts, Precinct 1 and Precinct 3. The City of Example elects members of its governing body from single-member districts.

Prior to an upcoming a general election for city council and the general election for state and county officers, the voter moved to a different residence address on the opposite side of the City of Example. The voter either did not update their residence address by the voter registration deadline or updated their residence address after the voter registration deadline had passed.

Due to the change of residence address, the voter has moved from county commissioner Precinct 1 to county commissioner Precinct 3 and has also moved from single-member District 2 to single-member District 4 in the City of Example. On election day, the voter offers to vote at the polling place corresponding to their new residence address and informs an election official at the polling place that they have moved within the county and city.



Scenario #2: City and County Voter moves to different single-member district and precinct

This voter should be directed to vote at the polling place that corresponds to their previous residence address. Upon offering to vote at their previous precinct, the voter will complete the Statement of Residence. In this case, the voter has moved to a different county commissioner court precinct and a different single-member district in the City of Example. However, the voter would be permitted to vote a ballot with county commissioner Precinct 1 and city council single-member District 2 corresponding to their previous residence address, because the voter still resides in the political subdivision served by the authority ordering the municipal election, the City of Example, even though the voter is in a new single-member district. The voter also still resides in Example County. This scenario illustrates Section 63.0011(b)(1).



Scenario #2: City and County Voter moves to different single-member district and precinct

	Example County	City of Example
Scenario #2	County general election ballot BUT voter receives a ballot containing county commissioner for their previous county commissioner precinct.	City general election ballot BUT voter receives a ballot containing the city council office for their previous single-member district.



Scenario #3: City, County, and School District Voter moves outside City

Voter is registered to vote in the City of Example and Example I.S.D. in Example County, Texas. The entirety of the City of Example is in one county commissioner, justice of the peace and constable precinct and the city elects all members of its governing body at-large. Example I.S.D. covers the entirety of the City of Example and other, unincorporated territory in Example County.

Prior to upcoming general elections for the city, the school district and the general election for state and county officers, the voter moved to a different residence address outside of the City of Example but still within the same county commissioner, justice of the peace and constable precincts and also within Example I.S.D. The voter either did not update their registration address with the county voter registrar by the registration deadline or updated their residence address after the voter registration deadline had passed. On election day, the voter offers to vote at their new precinct and informs an election official at the polling place that they have moved within the county.



Scenario #3: City, County, and School District Voter moves outside City

In this scenario, the voter should be directed to vote at the polling place corresponding to their previous residence address. Upon offering to vote at the polling place corresponding to their previous residence address, the voter must complete the Statement of Residence.

In this scenario, the voter has moved outside of the City of Example but still resides within Example County and Example I.S.D. This voter would not be permitted to vote a ballot containing any City of Example races because the voter has moved outside the city. However, since the voter still resides in Example I.S.D., the voter would be permitted to vote the I.S.D. races along with the general election for state and county that corresponds with the voter's previous residence address. This scenario further illustrates Section 63.0011(b)(1). The voter no longer resides in the city and does not receive city ballot but still resides in the I.S.D. and receives the I.S.D. ballot along with their county ballot. **This scenario further highlights why consideration of all possible ballot styles is important.**



Scenario #3: City, County, and School District Voter moves outside City

	Example County	City of Example	Example I.S.D.
Scenario #3	Full county general election ballot	NO CITY BALLOT. Voter has moved outside of the city	Full I.S.D. general election ballot



Scenario #4: Voter moves within City in a Countywide Polling Place County

Voter is registered to vote in the City of Example in Example County, Texas. The entirety of the City of Example is in one county commissioner, justice of the peace and constable precinct and the city elects all members of its governing body at-large.

Prior to an upcoming general election ordered by the city and the general election for state and county officers, the voter moved to a different residence address on the opposite side of the City of Example. The voter either did not update their registration address with the county voter registrar by the voter registration deadline or updated their residence address after the voter registration deadline had passed. Example County participates in the countywide polling place program. On election day, the voter offers to vote at a countywide polling location near the voter's place of employment outside of the city limits for the City of Example.



Scenario #4: Voter moves within City in a Countywide Polling Place County

Voter may vote at the countywide polling location where they are offering to vote. Example County is participating in the countywide polling place program, which means that all voters can vote at any countywide polling place on election day. The voter must complete the Statement of Residence. If otherwise eligible to vote, the voter receives a full ballot for the county and the city corresponding to their previous residence address because the voter's previous residence address and the voter's new residence address are all within the same territory covered by the election, the City of Example and the same county commissioner, justice of the peace and constable precinct. This scenario also illustrates Section 63.0011(b)(1).



Scenario #4: Voter moves within City in a Countywide Polling Place County

	Example County	City of Example
Scenario #4	Full county general election ballot for state and county officers	Full city general election ballot



Scenario #5: Voter moves outside of Political Subdivision with a Joint Ballot

Voter is registered to vote in the City of Example and Example I.S.D. in Example County, Texas. The entirety of the City of Example is in one county commissioner, justice of the peace and constable precinct and the city elects all members of its governing body at-large. Example I.S.D. covers the entirety of the City of Example and other, unincorporated territory in Example County.

Prior to upcoming general elections for the city and the school district (Example County is not holding an election), the voter moved to a different residence address outside of the City of Example but still within Example County and Example I.S.D. Example I.S.D. and the City of Example are conducting their elections jointly with a joint ballot. The voter either did not update their registration address with the county voter registrar by the registration deadline or updated their residence address after the voter registration deadline had passed. On election day, the voter offers to vote at the polling place corresponding with their previous residence address and informs an election official at the polling place that they have moved within the county and school district, but outside of the city.



Scenario #5: Voter moves outside of Political Subdivision with a Joint Ballot

Upon offering to vote at the polling place corresponding to their previous residence address, the voter must complete the Statement of Residence. In this case, the voter has moved outside of the City of Example but still resides within Example County and Example I.S.D. This voter would not be permitted to vote a ballot containing any City of Example races because the voter has moved outside the city. However, since the voter still resides in Example I.S.D., the voter would be permitted to vote the I.S.D. ballot. Since the entities have a joint ballot, the entities must consider ballot styles with only one entity's races. **This scenario further highlights why consideration of all possible ballot styles is important.**



Scenario #5: Voter moves outside of Political Subdivision with a Joint Ballot

	City of Example	Example I.S.D.
Scenario #5	NO CITY BALLOT. Voter has moved outside of the city	Full I.S.D. general election ballot



Scenario #6: Voter moves outside of territory covered by election

Voter is registered to vote in the City of Example in Example County, Texas. The entirety of the City of Example is in one justice of the peace precinct.

Prior to an upcoming local option liquor election in the justice of the peace precinct for City of Example, the voter moved to a different address outside of the justice of the peace precinct but within Example County. The voter either did not update their registration address with the county voter registrar by the registration deadline or updated their residence address after the voter registration deadline had passed. On election day, the voter offers to vote at the polling place corresponding to their previous residence address



Scenario #6: Voter moves outside of territory covered by election

In this scenario, the voter has moved outside of the justice of the peace precinct where a local option liquor election has been ordered by Example County. The voter still resides within Example County, however. The voter would not be eligible to cast a ballot containing the local option liquor election for the justice of the peace precinct because the voter has moved outside of the justice of the peace precinct. This scenario illustrates Section 63.0011(b)(2) of the Code because the voter no longer resides in the territory covered by the election (the justice of the peace precinct) and this is a less-than-countywide election ordered by the county authority.

This is distinguished from the general election for state and county officers, which is not a less-than-countywide election. As pointed out in Scenario #2, in the general election for state and county officers, the voter would be permitted to vote the ballot style corresponding to the voter's previous residence address even if the voter now resides in a different county commissioner or justice of the peace precinct. This is not the case with an election such as a local option election that may not cover the entirety of the county. In this scenario, the voter should update their residence address with the county voter registrar to participate in future elections.



Scenario #6: Voter moves outside of territory covered by election

	Example County
Scenario #6	Voter does NOT receive a local option ballot



Scenario #7: Voter moves but resides within the territory covered by an election

Voter is registered to vote in the City of Example in Example County, Texas. The entirety of the City of Example is in one justice of the peace precinct. The justice of the peace precinct covers the City of Example and other unincorporated territory in Example County. The City of Example elects all members of its governing body at-large.

Prior to an upcoming general election for the city and a local option liquor election in the justice of the peace precinct ordered by Example County, the voter moved to a different address outside of the City of Example but still within the justice of the peace precinct. The voter either did not update their registration address with the county voter registrar by the registration deadline or updated their residence address after the voter registration deadline had passed. On election day, the voter offers to vote at their new precinct and informs an election official at the polling place that they have moved within the county.



Scenario #7: Voter moves but resides within the territory covered by an election

In this scenario, the voter should be directed to vote at the polling place corresponding to their previous residence address. Upon offering to vote at the polling place corresponding to their previous residence address, the voter must complete the Statement of Residence. In this case, the voter has moved outside of the City of Example but still resides within the justice of the peace precinct where a local option liquor election has been ordered. The voter would not be permitted to vote a ballot containing any City of Example races because the voter has moved outside the city. This portion of the scenario illustrates Section 63.0011(b)(1).

Additionally, the voter would still be permitted to vote a ballot containing the local option liquor election for the justice of the peace precinct because the voter still resides in the justice of the peace precinct, which is the territory covered by the less-than-countywide election ordered by a county authority as provided in Section 63.0011(b)(2).



Scenario #7: Voter moves but resides within the territory covered by an election

	Example County	City of Example
Scenario #7	County ballot containing the local option liquor election	NO CITY BALLOT. Voter has moved outside the city



Available Support



WEBINARS



TRAINING



RESOURCES

elections@sos.texas.gov

800-252-VOTE • 512-463-5650

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