



Texas Secretary of State
ELECTIONS DIVISION



Legislative Updates

22nd Biennial
Election Law Seminar
for County Chairs
September 26, 2025



Agenda

Review the bills passed
by subject matter

Practical considerations
and the primary election



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Updated Resources



Handbooks

- Election Judges and Clerks Handbook (Coming Soon)
- Early Voting Ballot Board Handbook – Updated
- Signature Verification Committee Handbook – Updated
- Central Counting Station Handbook – Updated
- Appointment of Election Workers Handbook – Updated
- County Chairs Handbook (Coming Soon)
- Poll Watcher's Guide - Updated

Available on our Training and Educational Resources Page



Advisories & Webinars

- **No.2025-07** - 2025 Legislative Summary – 89th Regular Session
- **No.2025-10** - Bill Summary of Senate Bill 2753
- **No.2025-11** - Registering a Voter who is Part of a Confidentiality Program
- **No.2025-12** - NEW LAW: Changes to Curbside Voting Requirements and Assistant Procedures – House Bill 521
- **No.2025-13** - Election Precincts and Polling Places (SB 985)
- Primary Election Law Calendar (Coming Soon)
- Deadlines for Vacancies and Replacement Nominees for the General Election for State and County Officers (Coming Soon)

Available on our Conducting Elections page

- Also, remember to attend our county chair webinar series.



Forms

Elections Form Index

Note: The links displayed within the forms section access PDF (Portable Document Format) files which can be accessed using the Adobe Acrobat Reader. Visit [Adobe.com](https://www.adobe.com) to download your copy of Acrobat Reader. All PDF documents featured on this page are configured to print out on legal size paper.

Note: Some browsers use their own PDF readers. If you experience issues with the PDF documents below, we recommend opening these files with Adobe Acrobat.

Select a Form Category		
• Section 1 – Order and Notice of an Election • Section 2 – Candidates • Section 3 – Ballots • Section 4 – Officers of Election • Section 5 – Early Voting Clerk Responsibilities • Section 6 – Early Voting by Mail • Section 7 - Voting in Person • Section 8 – Security and Chain of Custody	• Section 9 – Provisional Voting • Section 10 – Early Voting Ballot Board/Signature Verification Committee • Section 11 – Counting Votes • Section 12 – Reconciliation Forms • Section 13 – Cancellation of an Election • Section 14 – Recount • Section 15 – Logic and Accuracy Testing • Section 16 – Election Technology (Voting Systems, Electronic Pollbooks)	• Section 17 – Local Option Elections • Section 18 – Primary Elections • Section 19 – Voter Registration Chapter 19 Funding • Section 20 - Primary Finance • Section 21 - Voter Registration • Section 22 - Volunteer Deputy Registrar (including High Schools) • Section 23 - Becoming an Elected Official • Section 24 - Public Information • Section 25 - Miscellaneous Forms



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Voting In-Person



Election Precincts

- **County Election Precincts**

- Section 42.001 requires the commissioners court in each county to divide all the territory of the county into county election precincts. County election precincts must be compact, contiguous, and identified by a number. (Secs. 42.001, 42.004). A county election precinct is the basic unit of voter registration and is often referred to as a “voter registration precinct.”

- **Election Day Precincts**

- Generally, each election precinct must be served by a single polling place located within the boundary of the election precinct. (Sec. 43.001). County election precincts may be combined or consolidated in certain elections. The area served by a single polling place, whether it is a single county election precinct or county election precincts that have been combined or consolidated, is often referred to as an “election day precinct.”



Election Precincts

- **Consolidation of Precincts**

- Consolidation of precincts occurs when two or more county election precincts are consolidated for a single election precinct and reported as such.
- The polling place in a consolidated precinct must be located in a place that can adequately serve the voters of the precinct.
- **Consolidation can only occur in specific elections:**

Special Elections

(Section 42.008)

Consolidation can occur in a special election that requires the use of county election precincts, such as a constitutional amendment election, or an election to fill a legislative or congressional vacancy. Occurs on recommendation of county election board.

Primary Elections

(Section 42.009)

Consolidation can occur on order of the county executive committee of political party.



Election Precincts

- **Combining Precincts**
 - When two or more county election precincts vote at the same polling place but the:
 - Precincts are reported separately; and
 - Separate paperwork is kept for each precinct



Election Precincts

SB 985 (Effective September 1, 2025)

- Provides that if changes in county election precinct boundaries due to give effect to a redistricting plan result in county election precincts with fewer than 3,000 registered voters, a commissioners court for a general or special election, or the county executive committee of a political party for a primary election, may combine these precincts to avoid unreasonable expenditures for election equipment, supplies, and personnel
 - A combined precinct is subject to the maximum population prescribed by Section 42.006 (5,000 registered voters)



Election Precincts

SB 985

- **If** commissioners court cannot secure a suitable polling place location **and** the location of the combined polling place would adequately serve the voters of the combined precinct, **then** a combined precinct may not contain more than 10,000 registered voters
 - This type of combination is not available to counties participating in the countywide polling place program



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Combining Election Precincts (Section 42.0051)			Consolidating Election Precincts (Sections 42.008 and 42.009)
Description	If as a result of redistricting, a county election precinct is left with fewer than 3,000 voters, the county may combine the precinct with another county election precinct	If a suitable public building cannot be secured as a polling place	In a special election ordered by the Governor or a primary election, a county election precinct may be consolidated with another county election precinct.
	To avoid unreasonable expenditures for election equipment, supplies, and personnel		Avoid additional expenditures in certain elections.
Limitation	A combined precinct cannot contain more than 5,000 registered voters	A combined precinct cannot contain more than 10,000 registered voters	May not consolidate in such a manner that does not provide polling places that adequately serve voters.
		Not available for countywide counties	
Elections	Special Election, Primary Election, General Election		Special Election, Primary Election
Different Ballot Styles?	Yes		No
Records	Records and results must be maintained and reported separately for each county election precinct within the combined precinct.		Records must be maintained and reported by consolidated precinct



Election Precincts

FAQ: Does the law on combining or consolidating county election precincts apply to early voting?

- Any combination or consolidation of county election precincts would impact the county's election day precincts and polling places. Combining or consolidating county election precincts would not impact early voting in the county.



Election Precincts

FAQ: Can a county combine or consolidate across county commissioner court precinct lines?

- Section 42.005 prohibits the establishment of a county election precinct, including a consolidated precinct, that contains territory from more than one county commissioners court precinct. Therefore, a consolidated county election precinct may not be established that crosses county commissioner court precinct lines. However, since this prohibition does not apply to a combined election precinct, a county may combine election precincts in different county commissioner court precincts, provided all requirements for combination of the election precincts are met.



Curbside/Assistance

HB 521—Made several changes to curbside voting and assistance procedures

- **Election Personnel**
 - If four or more election officers are present at the polling place → two election officers shall deliver a ballot to the voter at the curb
 - If an election worker is assisting a curbside voter:
 - *Early Voting*—A **single** worker may assist
 - *Election Day*—**Two** election workers must be present (one from each party, if possible)



Curbside/Assistance

HB 521—Made several changes to curbside voting and assistance procedures

- **Forms**
 - Curbside **voters** will be required to execute a **form** attesting that they are physically unable to enter a polling place.
 - When voters are given **transportation** by another person, the election worker must ask the driver whether they have transported +7 curbside voters during the entire voting period. If yes, the **driver** must complete and sign a **form** and indicate whether they are assisting the voter with voting as well.
 - Forms must be **delivered** to the SOS as soon as practicable.



Curbside/Assistance

HB 521—Made several changes to curbside voting and assistance procedures

- **Forms**
 - **Election workers** serving as an assistant (inside the polling place and/or curbside) must complete an assistance form
 - Only required when the worker is providing assistance to a voter in voting a ballot
 - Not required when the worker is providing general instructions in the polling place
 - Forms must be **delivered** to the SOS as soon as practicable



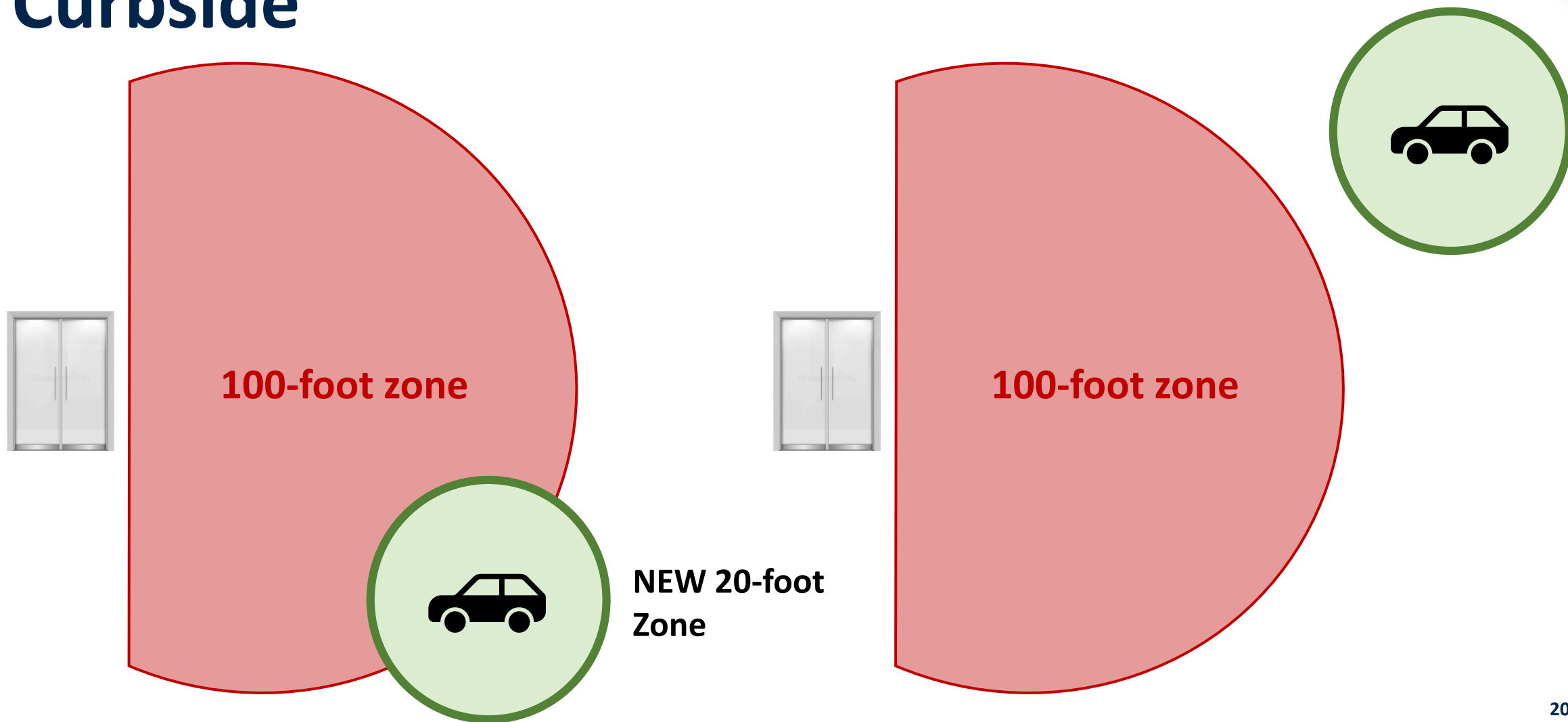
Curbside

HB 521—Made several changes to curbside voting and assistance procedures

- **Electioneering**
 - Prohibits loitering or electioneering within **20 feet** of the designated curbside voting parking spaces
 - This would be **in addition** to the **100 foot** zone from an outside door in which a voter can enter the polling place



Curbside





Curbside

FAQ: What happens if a voter refuses to sign the Curbside Voter Statement?

- If a voter refuses to sign the Curbside Voter Statement, they will not be able to vote curbside. However, an individual who accompanies a voter who has signed the Curbside Voter Statement is eligible to vote curbside without also completing a Curbside Voter Statement.



Wireless Communication Devices

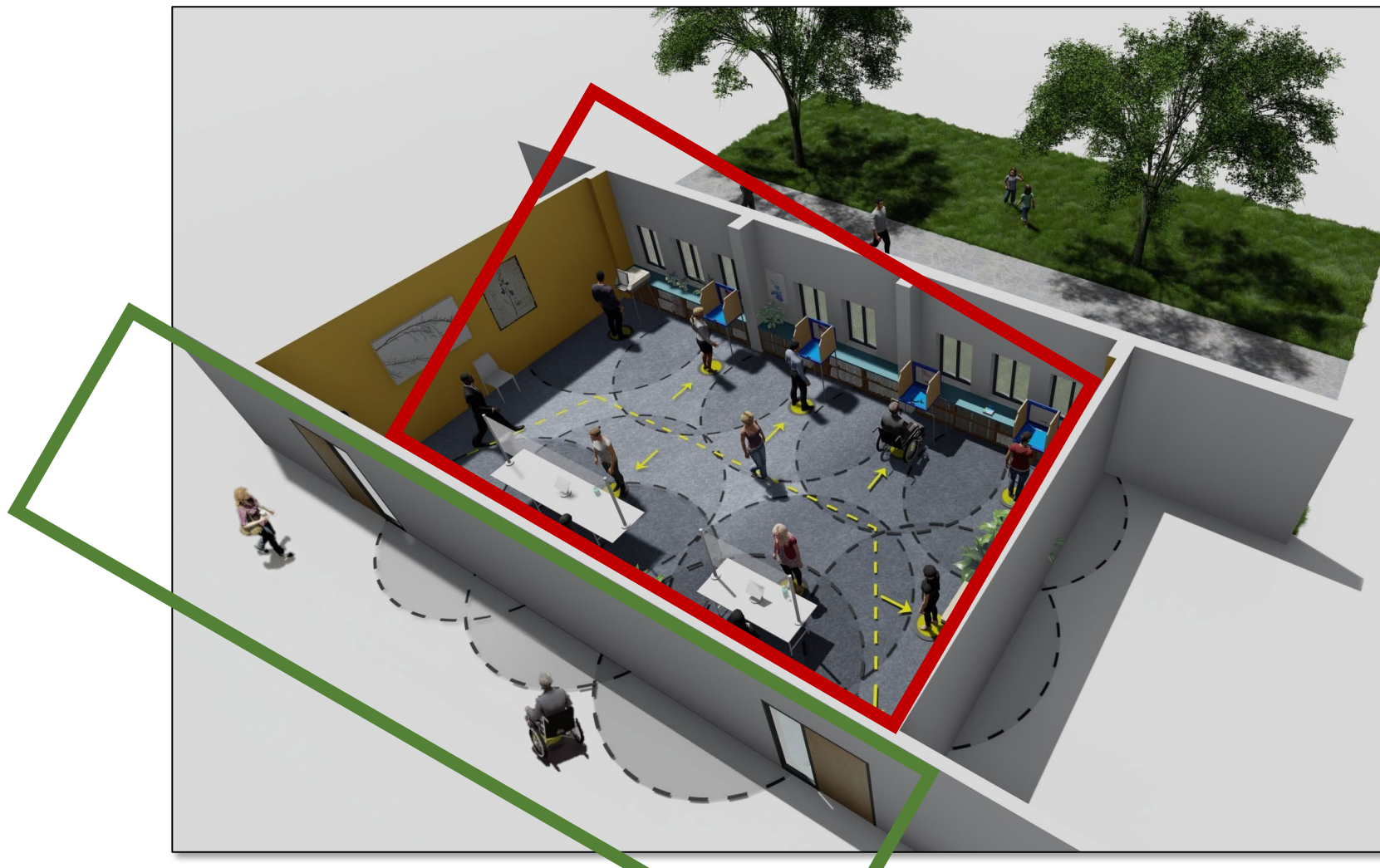
HB 3909—A person may not use a wireless communication device within a room in which voting is taking place

- This prohibition is in **addition** to the prohibition against using any mechanical or electronic means of recording sound or images within 100 feet of a voting station
 - Therefore, a person could **use their phone** to check email while in the **green circle**, but the phone must be **put away** once the voter enters the **red box**
 - Presiding judges will have to use their **discretion** as to whether they think a voter is unlawfully using their phone to record **sound or images** in the prohibited area





Wireless Communication Devices



Green Zone Phone Use

Acceptable:

- Looking up ballot
- Texting
- Checking email

Not Acceptable:

- Video recording
- Audio recording
- Taking photos

Red Zone Phone Use

- Must be put away and out of sight



Poll Watchers

HB 493 – Poll Watcher Eligibility

- Poll watcher appointment certifications now include an **affidavit** confirming that the poll watcher has **not been convicted** of a first- or second-degree felony or any election-related offense, and prohibits them from using **recording devices** while serving as a poll watcher
 - Election workers will want to make sure poll watchers **present** a Certificate of Appointment with the new law information reflected on it
- **Updated Resources:**
 - Poll Watcher's Guide
 - Poll Watcher's Training



Election Supplies

HB 1661—Provides guidance and penalties surrounding distribution of election supplies

- Requires the election officer responsible for procuring election supplies to provide a number of ballots equal to at least the percentage of voters who voted in the most recent corresponding election plus 25 percent of that number.
 - The number of ballot cannot exceed the total number of registered voters in the precinct (unless they are countywide)
- Criminal offense for intentionally failing to provide the required number of ballots or who does not promptly supplement the distributed ballots upon request from a polling place.



Electronic Pollbooks, Reports, and Central Count

SB 2217—Electronic Pollbook Requirements

- Requires specific reports to be generated from an electronic pollbook system and retained
- Requires a report of the total number of ballots scanned by a precinct scanner to be generated when polls close on the last day of early voting and on election day
 - *Note:* Just the number of ballots scanned, **NOT** the results for each candidate/measure
- Requires a report of the total number of ballots scanned to each media drive by a central scanner to be generated at the CCS
- Requires a reconciliation form to be completed with the total number of votes cast against the total number of voters at each polling place



Correcting or Cancelling a Mail Ballot

SB 2964 – Corrective Action

- An early voting clerk no longer has the authority to return a defective carrier envelope to a voter in person or by mail.
- Instead, if the early voting clerk identifies a defect in a voter's carrier envelope, the clerk must notify the voter of the defect and provide the voter with a corrective action form.
 - As a result, voters with a corrective action can only vote a provisional ballot if they cancel and vote in person, because the voter will not have a defective mail ballot to surrender to the election worker.
 - The election worker should have the voter complete a cancellation form. The provisional ballot will count if the voter cancels their mail ballot.



Security of Voting Equipment

SB 2216 - Voting Equipment

- Equipment used in the operation of voting be stored in a **locked room**
- The general custodian of election records must place **security seals** on each unit of voting system equipment to prevent **unauthorized access** to the equipment
- The general custodian of election records must create a **procedure** for documenting which **specific seals** are placed on **each unit** of voting system equipment and any instance where the seals are **removed**
 - The records must include the **identity** of the individual who **removed** the seals and the **purpose** for accessing the equipment



Public Logic and Accuracy Testing

SB 2166—Establishes testing deadlines for Public L&A Test and First Tabulation Test

- Clarifies tabulation testing procedures for precinct scanners and central counting station equipment
- Eliminates newspaper notice requirements for voting system testing
- Adds additional testing requirements to L&A test
- Defines "representative sample" for hash validation
- Requires documentation and retesting after unsuccessful test
- Authorizes test materials to be unsealed to respond to PIRs



Early Voting Days and Hours

SB 2753 - Makes several changes to Election Code.

- Removes gap between early voting period and election day to establish single voting period.
- This will NOT be in effect for the 2026 Primary Election
- The requirements will not go into effect until the Secretary of State's Office publishes a report and procedures on the implementation of SB 2753



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Voter Registration and Address Confidentiality



Voter Registration Applications

SB 1862—Requires a voter registration application to include the address, including the city and county, where the applicant formerly resided

- Before **SB 1862**, the city and county where the voter formerly resided was required, but **not** the address.
- If voter registration application reflects that the voter's previous residence address was **outside** of the State of Texas, the voter registrar must document the voter's full legal name, date of birth, current address of residence, and previous address of residence. Voter registrar must **compile** this information and, at least once a month, submit it to the SOS.
- SOS must notify the voter registrars with jurisdiction over the previous residence on a **monthly** basis that the voter may be removed from that jurisdiction's voter registration list.



Alternate Address Program

SB 523—Expands coverage under Alternate Address Program (AAP) through the Department of Public Safety (DPS) for parole officers and probation officers

- AAP allows use of an **alternate address** on a voter's driver's license or ID card in lieu of their actual residential address
- Voters are authorized to designate their **work address** on their voter-registration certificate if they choose
- Applicant's voter registration information will be subject to **public disclosure**, but because the residence address on the voter registration application is the applicant's workplace, the actual residence address cannot be disclosed



Confidentiality

SB 370 – Address confidentiality for public defenders

- Adds current or former employees of a **public defender's** office to the list of individuals eligible for confidentiality.
- Adds current or former employees of the **attorney general's office**, and the employee's family members (spouse and children), to the list of individuals eligible for confidentiality.
 - **Previously** only employees assigned to **certain divisions** within the attorney general's office were eligible.



Confidentiality

SB 1540 – Address confidentiality for election officials

- Adds current or former **election officials** (as defined by Section 1.005), as well as employees, volunteers, or designees of election officials and employees of the **Secretary of State** to the list of individuals eligible for confidentiality



Confidentiality

SB 1569—Adds new professions to the list of individuals eligible for confidentiality

- Specifically, it includes:
 - Members of the governing body of an **institution of higher learning or higher education**;
 - **Chancellor** or other **chief executive officer** of a university system; and
 - **President** or other **chief executive officer** of an institution of higher learning or higher education.
- The same individuals may **restrict information** in appraisal records related to the individual's home address and make that information available for only official use of governmental entities.



Confidentiality

HB 16 (2nd C.S.)—Adds several groups of people to the list of individual eligible for the alternate address program and/or address confidentiality

- Specifically, it includes:
 - a current or former **county clerk, district clerk, or county and district clerk**, or a current or former employee of the office of a county clerk, district clerk, or county and district clerk or municipal court personnel;
 - a current or former employee whose duties relate to **court administration**, including a court clerk, court coordinator, court administrator, juvenile case manager, law clerk, or staff attorney;
 - a current or former employee of the **Office of Court Administration of the Texas Judicial System** and entities administratively attached to the office; or
 - a current or former employee or commissioner of the **State Commission on Judicial Conduct**



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General Election-Related Changes



County Elections Administrators

HB 677—County elections administrators may not hold another office or position appointed by an elected official

- Prohibits a **county elections administrator** from holding another office or position appointed by an elected official.



Penalty for Election Fraud

HB 5115—Increases the penalty for election fraud

- **Increases the penalty for election fraud** by reclassifying the offense from a Class A misdemeanor to a second-degree felony.
- **Expands the definition of election fraud** to include certain actions such as counting votes the person knows are invalid, altering a report to include votes the person knows are invalid, refusing to count votes the person knows are valid, or altering a report to exclude votes the person knows are valid.
- If the offense is committed by a person while acting in their capacity as an **elected official**, it is a **felony** of the first degree.



Prosecution of Election Offenses

SB 12 (2nd C.S.) – Attorney General prosecutorial authority

- The Attorney General has jurisdiction to **prosecute** and **represent** the state in the prosecution of a criminal offense prescribed by the election laws of this state.



Electoral College

SB 688—Codifying federal changes to the date the electoral college meets

- Provides that the **meeting of presidential electors** shall convene at 2 p.m. on the first Tuesday after the second Wednesday in December following their election.



Voting by Mail

SB 2259 and HB 3697—Changes to the ABBM

- House Bill 2259 and House Bill 3697 amended the Election Code to require that the officially prescribed **Application for Ballot by Mail** be printed in at least 10 point type and requires instructions for the ABBM to appear on a single piece of paper.
 - Counties and local political subdivisions are able to **continue using existing stock** of the ABBM **until completed**.
 - However, once existing stock is no longer available, counties and local political subdivisions will need to use the **updated ABBM** and the accompanying instruction sheet.



Redistricting

HB 4 (2nd C.S.) – Effect on Congressional Candidate Applications

- The redistricted maps **only** affect candidates running for United States **House of Representatives**.
- The new districts **do not affect** the membership or congressional districts of the **119th Congress**.
- The new districts apply to the **2026 primary election** and the **November general election**.
 - Candidates will file their application for a place on the primary ballot based on the **new districts**



Redistricting

HB 4 (2nd C.S.) – Effect on Precinct Chair Candidate Applications

- County election officials for affected counties will begin implementation of redistricting changes **locally**, which may result in changes to voter registration precincts before the 2026 primary election.
- Secretary of State recommends that precinct chair candidates take this process into account **before** submitting an application.
 - Precinct chair candidates may have an application **rejected** later because the applicable precinct boundaries may have changed due to redistricting.
 - Precinct chair candidates may also **withdraw** their application if precinct boundaries changed
 - Precinct chair candidates should file an application for the precinct in which they reside under the **new boundaries**.



Precinct Chair Candidate Applications

HB 766—Requires candidates to include additional information on applications

- Requires that a candidate for precinct chair include on their application either an **email address** at which the candidate receives correspondence relating to the candidate's campaign **or** a **telephone number** at which the candidate can be reached.



Candidate Applications

SB 901—Primary candidates who file for a place on the ballot or for nomination by convention with more than one political party

- Provides that a candidate who files a candidate application for a place on the primary election ballot or for nomination by convention with **more than one political party** within the same voting year will be **ineligible** for a place on the ballot for the **primary election, nomination** by convention, and **participation** in the subsequent **general election** as an **independent** candidate, the nominee of a political party, or a write-in candidate.



Open Meetings Notice

HB 1522 – Modifies notice requirements for meetings conducted under the open meetings law

- Requires posting notice at least **three business days** before date of scheduled meeting
 - Keep this in mind when posting notice for your canvass
- New requirements for meetings where a governmental body will discuss or adopt a budget



Post-Election Hand Count Audit

SB 827—The Partial Manual Count renamed to the Post-Election Hand Count Audit

- Requires the hand count audit of early voting locations and election day locations to be **conducted by polling location** rather than by precinct, but still requires **ballots by mail** to be counted by **precinct**. The count will be conducted in at least one percent of election day polling locations and early voting locations, **or** in three of each type of locations, **whichever is greater**. For ballots by mail, the count will be performed for at least one percent of the precincts in which a ballot by mail was cast, **or** in three precincts, **whichever is greater**.



Available Support



WEBINARS



TRAINING



RESOURCES

elections@sos.texas.gov

800-252-VOTE • 512-463-5650

sos.texas.gov