



Texas Secretary of State
ELECTIONS DIVISION



Legislative Updates: Voting In-Person

43rd Annual
Election Law Seminar
for County Election Officials
August 11-13, 2025



Summary

LET'S THINK

Big Ideas of
Voting
In-Person

DISCUSS

What's
Important
Now

CHANGES

New Laws
from the
89th Regular
Session

TAKEAWAYS

Discuss
Impacts
for You



Texas Secretary of State
ELECTIONS DIVISION



Voting In-Person

What We Know



Major Topics

Proper Appointment and Training of **Election Workers** (TEC § 32.001 et seq.)

Voter ID Requirements (TEC § 63.001 et seq.)

Polling Place **Accessibility** (TEC § 43.034)

Poll Watcher Rules (TEC § 33.001 et seq.)

Chain of Custody and Ballot Security (TEC § 66.001 et seq.)

Voting System and **Equipment Testing** (TEC § 129.001 et seq.)

Provisional Ballot Procedures (TEC § 63.011)

Electioneering and the 100-foot marker (TEC § 63.003)

Prompt and Accurate **Results Reporting** (TEC § 67.001 et seq.)



Partner Share

- Discuss the **three topics** of voting in-person that you believe your office does well.

Proper Appointment and Training of **Election Workers** (TEC § 32.001 et seq.)

Voter ID Requirements (TEC § 63.001 et seq.)

Polling Place **Accessibility** (TEC § 43.034)

Poll Watcher Rules (TEC § 33.001 et seq.)

Chain of Custody and Ballot Security (TEC § 66.001 et seq.)

Voting System and **Equipment Testing** (TEC § 129.001 et seq.)

Provisional Ballot Procedures (TEC § 63.011)

Electioneering and the 100-foot marker (TEC § 63.003)

Prompt and Accurate **Results Reporting** (TEC § 67.001 et seq.)

You will have
3 minutes
to discuss with
your partner



Let's Discuss

- Share your **two topics** with the other people at your table that you believe your county can improve on.

Proper Appointment and Training of **Election Workers** (TEC § 32.001 et seq.)

Voter ID Requirements (TEC § 63.001 et seq.)

Polling Place **Accessibility** (TEC § 43.034)

Poll Watcher Rules (TEC § 33.001 et seq.)

Chain of Custody and Ballot Security (TEC § 66.001 et seq.)

Voting System and **Equipment Testing** (TEC § 129.001 et seq.)

Provisional Ballot Procedures (TEC § 63.011)

Electioneering and the 100-foot marker (TEC § 63.003)

Prompt and Accurate **Results Reporting** (TEC § 67.001 et seq.)

You will have
5 minutes
to discuss with
your partner



Texas Secretary of State
ELECTIONS DIVISION



What's Changed



Mandatory Office Hours

HB 640—Defines a “regular business day” to mean a day when the main business office of the county, city, or other political subdivision is regularly open for business

- Beginning 50 days before election day and continuing until the 40th day after election day, each county clerk, city secretary, or secretary of a governing body (or the person performing duties of a secretary) **must keep the office open** for election duties for **at least three hours each day**, during regular office hours, on regular business days





Ballot Language

SB 1025



- Requires a ballot proposition that **increases or imposes** taxes to include, in capital typewritten letters of the same font size as the rest of the proposition, the statement **“THIS IS A TAX INCREASE”**
 - Make sure to check for the required capitalization during ballot proofing and your L&A testing
 - Language must also be on your Order





Ballot Language

Same Font Size and
Capitalized Text



Sample Ballot

CONSTITUTIONAL AMENDMENT ELECTION
November 4, 2025
SAMPLE COUNTY, TEXAS
ELECCIÓN SOBRE ENMIENDAS A LA CONSTITUCIÓN
04 de noviembre de 2025
CONDADO DE SAMPLE, TEXAS

Please use a black or blue ink pen to mark your ballot.
To vote for your choice in each contest, completely fill
in the box next to your choice.
*Favor de usar un bolígrafo de tinta negra o azul para
marcar su boleta. Para votar por su selección en cada
contienda, rellene completamente la casilla junto a su
selección.*

CONSTITUTIONAL AMENDMENT ELECTION ELECCIÓN SOBRE ENMIENDAS A LA CONSTITUCIÓN
PROPOSITION 1
Ballot Language to increase a tax or impose a new tax
THIS IS A TAX INCREASE





Cancellation of an Election

HB 2253—Authorizes counties and local political subdivisions to cancel a bond election if the Governor issues a disaster declaration

- The governor must issue a disaster declaration regarding a natural disaster or other disaster which threatens the health, safety, or general welfare of the authority's residents **within 90 days of the date of the election**
- The governing body must determine that cancellation is necessary due to damage to the authority's election system, or to avoid harm to the authority's election workers or voters.
- The governing body must provide notice of the meeting and allow members of the public and press to observe the meeting





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 (effective September 1, 2025)

- 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





Texas Secretary of State

ELECTIONS DIVISION



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 must be maintained and reported by county election precinct		Records must be maintained and reported by consolidated precinct



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/Assistance



Curbside voters attest that they are physically unable to enter a polling place



A driver has transported 7 or more curbside voters and will indicate whether they are assisting the voter



Election workers serving as an assistant to a voter

Note: Normal curbside voting procedure is not assistance to a voter





Curbside



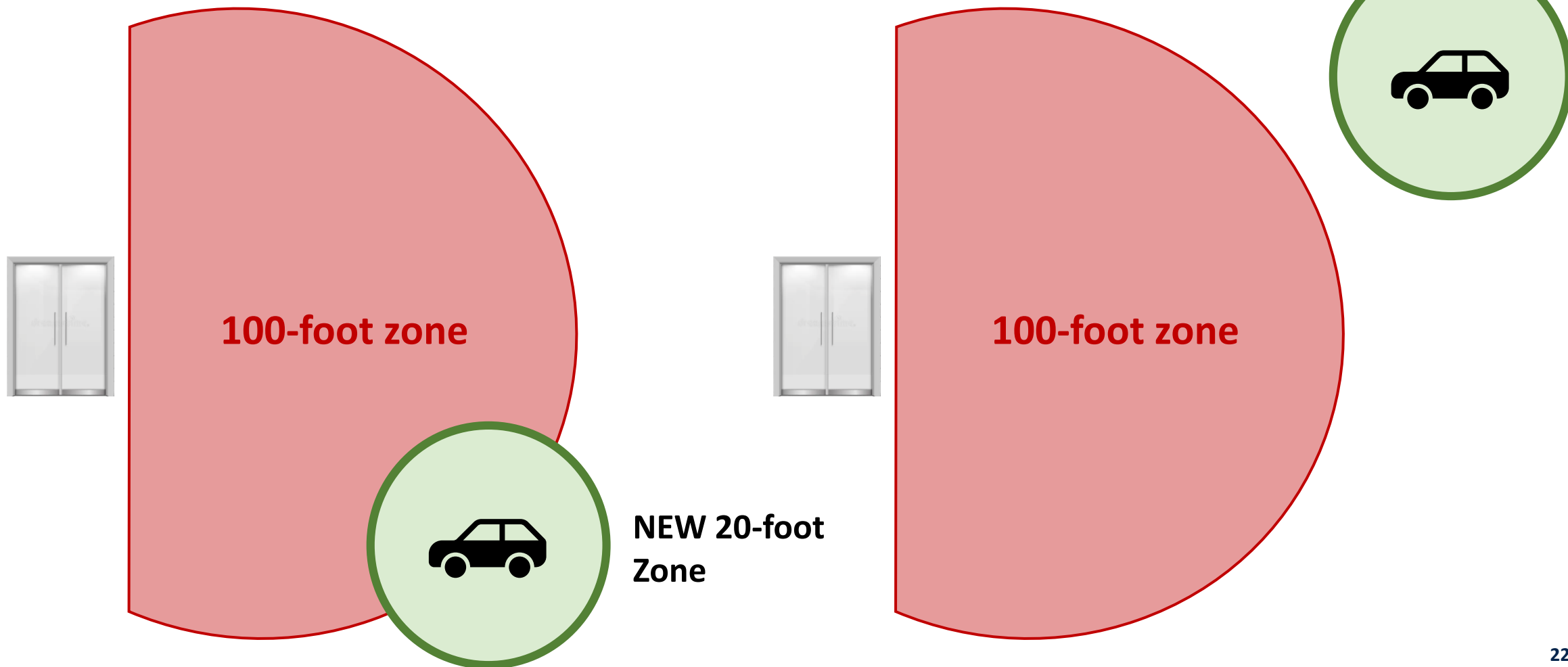
HB 521—Made several changes to curbside voting and assistance procedures

- **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





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.





Wireless Communication Devices



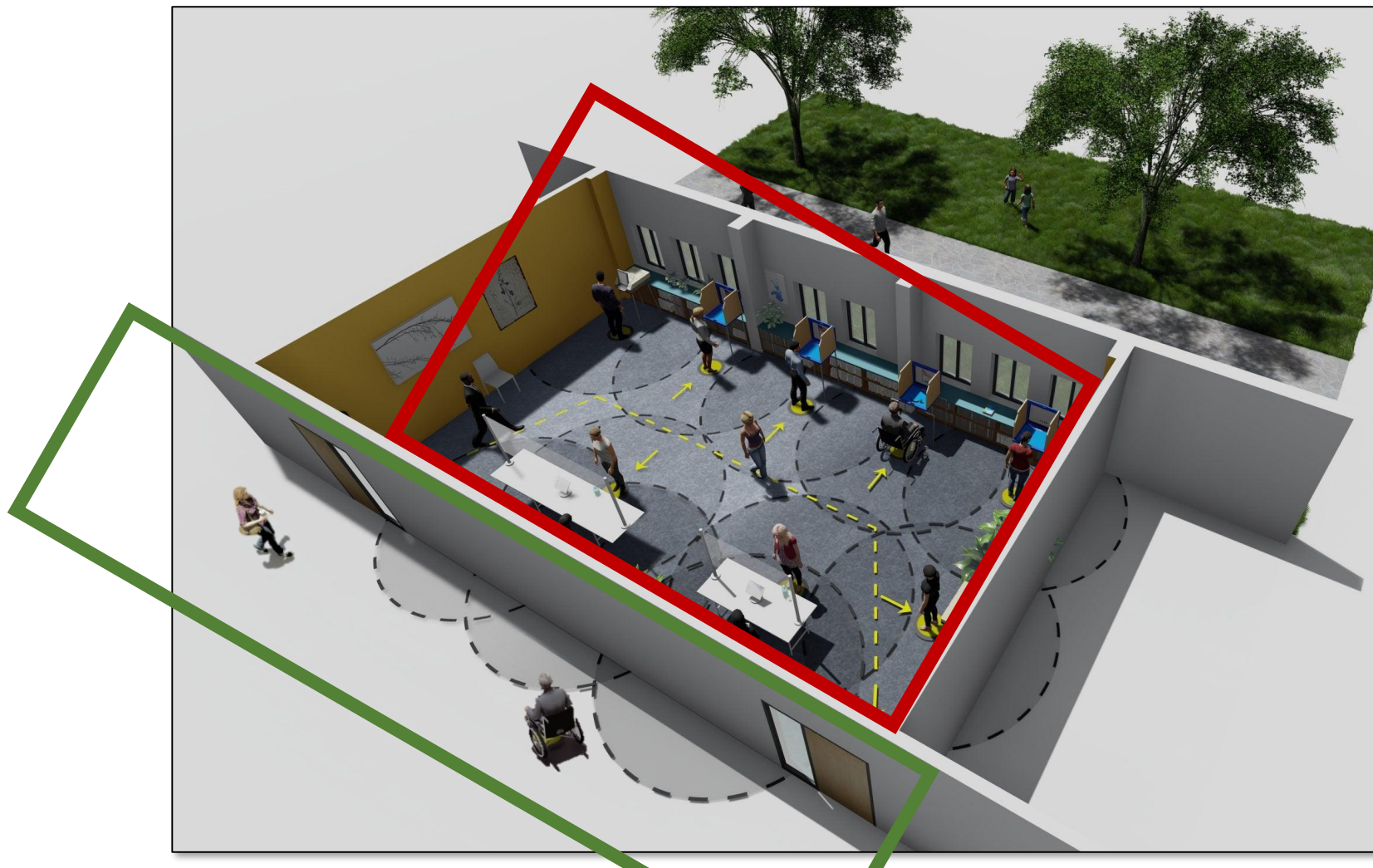
HB 3909—A person may not use a wireless communication device within a room in which voting is taking place

- 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
- Making phone calls

Not Acceptable:

- Video recording
- Audio recording
- Taking photos

Red Zone Phone Use

- Must be put away and out of sight



Poll Watchers



HB 493 (effective September 1, 2025)

- 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





Correcting or Cancelling a Mail Ballot



SB 2964 (effective September 1, 2025)

- 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.





Checking in Voters

SB 2217 (effective September 1, 2025)

- Addressed some of the issues with “failsafe voting.”
- A voter’s registration takes effect **immediately** upon the voter registrar’s receipt of a notice of the voter’s change of address if the voter changes residence **within the same county** as the voter’s current registration address.
- This bill is effective for elections ordered after September 1, 2025. It will **not be in effect** for the **November 2025 Constitutional Election**. The first election it would be in effect for would be the December 2025 Runoff Election.





Checking in Voters

SB 2217 (effective September 1, 2025)



- **What does the check-in process look like now?**
 - Ask the voter to provide an acceptable form of **photo ID**
 - **Locate** the voter on the List of Registered Voters (paper or ePollbook)
 - **Compare** the voter's name
 - Ask the voter if his or her **residence address** has changed
 - If yes, ask if the voter moved ***within** the county* or ***moved from** another county*





Checking in Voters

SB 2217 (effective September 1, 2025)



- **What does the check-in process look like now?**
 - *Voter moved **within** the county*—The voter will vote a full **regular** ballot and their ballot style will reflect the address where the voter says they currently reside in the county (not the old address)
 - Our office will be releasing an updated Statement of Residence
 - On Election Day, voter will have to vote in the precinct of their new address





Checking in Voters

SB 2217 (effective September 1, 2025)



- What does the check-in process look like now?
 - Voter ***moved from*** another county—During early voting, remind the voter of their option to vote a **limited ballot** at the main early voting polling place





Checking in Voters



SB 523 (effective September 1, 2025)—Adds parole officers and probation officers to the list of individuals who are authorized to use an office address as an alternative address on their driver's license

- These voters are allowed under law to designate their **work** (business) **address**, instead of their residence address, on their voter registration certificate if they choose
- As a result, these voters are only eligible to vote **only in the precinct** where the **alternate address** is located





Security of Voting Equipment



SB 2216

- 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





Days and Hours of Early Voting

SB 2753

- Closes the gap between end of early voting and election day to create one continuous voting period
 - The period for early voting by personal appearance begins on the 12th day before election day and continue through the day before election day, and includes Saturdays, Sundays, and holidays
- 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
 - It will **not be in effect** for the **November 2025 Constitutional Election**





Days and Hours of Early Voting

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday





Days and Hours of Early Voting

[illegible]



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





Effective Dates

Bill	Topic	Effective	2025 Constitutional
HB 640	Mandatory Office Hours	September 1, 2025	✓
SB 1025	THIS IS A TAX INCREASE	Immediately	✓
SB 985	Combining Precincts	September 1, 2025	✓
HB 521	Curbside and Assistance	September 1, 2025	✓
HB 3909	Wireless Communication Devices	September 1, 2025	✓
HB 493	Poll Watchers	September 1, 2025	✓
SB 2964	Ballot Correction/Cancellation	September 1, 2025	✓
SB 2217	Checking In Voters	Elections ordered after September 1, 2025	-
SB 523	Alt Address Parole and Probation Officers	September 1, 2025	✓
SB 2216	Security of Voting Equipment	September 1, 2025	✓
SB 2753	Days and Hours of Early Voting	After Implementation Report from SOS	-



Texas Secretary of State
ELECTIONS DIVISION



Let's Discuss

Thoughts on Integrating These New Rules



Let's Discuss - Integrating New Rules

You will have
5 minutes
to discuss

Prompt:

- How would you integrate these new rules?

HB 3909: Prohibiting Wireless Devices in the Room

- How will your election workers communicate the new rules?

SB 2964: Correcting or Cancelling a Mail Ballot

- How will your office inform voters of their ability to correct a defect or cancel their mail ballot?

SB 2217: Checking in voters who have moved

- How will your election workers communicate to the voter registrar that a voter has moved within the county?
- (if precinct based) How will your election workers direct voters to their correct precinct?

HB 521: Curbside Voters

- How will your election workers approach curbside voters and their drivers?
- How will your election workers enforce the 20ft zone around curbside vehicles?



Work together with people at your table and the table directly behind you.



Available Support



WEBINARS



TRAINING



RESOURCES

elections@sos.texas.gov

800-252-VOTE • 512-463-5650

sos.texas.gov