



Texas Voting Process Legislation

DRC STATEMENT ON LEGISLATION RELATED TO ACCESSIBILITY & INTEGRITY OF ELECTIONS

April 12, 2021

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The Dallas Regional Chamber represents a wide and diverse array of 800-plus businesses employing more than 500,000 Texans. **We fully support protections allowing every eligible voter the right to vote in elections that are easily accessible and that maintain the integrity of the process, and oppose any efforts to undermine these principles.** We are confident that our elected leaders can work together to come up with solutions that meet these principles. **The opportunity for all eligible voters to have their voices heard and their votes counted is the bedrock of our self-determining system of government.**¹

VOTING LAWS IN THE UNITED STATES

Absentee Voting²

- All states provide for overseas absentee voting.
 - 34 states allow absentee voting not requiring a valid reason.
 - 15 states (including Texas) allow absentee voting requiring a valid reason.
 - Common reasons include persons over a certain age, illness or disability, student living outside of county.

*Oregon does not allow absentee voting with or without a valid reason.

Mail-in Voting³

- Only 5 states – Colorado, Hawaii, Oregon, Utah, and Washington – conduct elections almost entirely by mail.
- 20 other states allow mail-in voting in certain elections.

Early Voting⁴

- 29 states have early voting (including Texas).
- Early voting periods range from as little as 3 days (Kentucky) to as long as 40 days (Illinois).⁵ ^{5.1}
 - Texas early voting is generally 12 days.⁶

Same-day Voter Registration⁷

- 20 states have some form of same-day voter registration. Texas is one of 30 states that does not.

HOW TEXAS VOTING LAWS COMPARE

State (In order of population) ⁸	Election Day (Same Day) Voter Registration ⁹	Absentee Voting Not Requiring a Valid Reason ¹⁰	In-Person Absentee Voting ^{*11}	Early Voting By Number of days	General Weekday Early Voting Hours (In Major Cities)	Number of Hours for Voting On Election Day (In Major Cities)
California	x	x		At least 4 in some counties ¹²	10 AM – 7 PM (9 hrs.) ¹⁹	13 ²⁶
TEXAS				Typically 12 ¹³	7 AM – 7 PM (12 hrs.) ²⁰	12 ²⁷
Florida		x		At least 8 ¹⁴	7 AM – 7 PM (12 hrs.) ²¹	12 ²⁸
New York				9 ¹⁵	10 AM – 8 PM (10 hrs.) ²²	15 ²⁹
Pennsylvania		x	x	**	**	13 ³⁰
Illinois	x	x		40 ¹⁶	8:30 AM – 7 PM (11.5 hrs.) ²³	13 ³¹
Ohio		x	x	**	**	13 ³²
Georgia		x		Typically 17 ¹⁷	9 AM – 5 PM (8 hrs.) ²⁴	12 ³³
North Carolina	x	x		17 ¹⁸	8:30 AM – 7:30 PM (11 hrs.) ²⁵	13 ³⁴
Michigan	x	x	x	**	**	13 ³⁵

Of the states listed, all allow polling place voting, some form of mail-in voting, provisional voting, overseas absentee voting, and military absentee voting.³⁶

*In-person absentee voting is when a voter requests, completes and signs an absentee ballot in a county election board location.

**In-person absentee voting is allowed only if the voter physically casts his or her ballot at a county election board location or clerk's office.

TEXAS EARLY VOTING DURING COVID-19

County	Expanded Voting Hours	Proactively Mailed Ballot Application	Conducted Drive-Thru Voting	Expanded Ballot Drop-Boxes*
Collin	<p>The Dallas Region, with few exceptions on weekends, remained open for 12 hours on early voting days. No counties attempted to expand early voting hours, proactively mail applications for ballots to voters, conduct drive-thru voting, or offer drop-box locations outside of designated election offices.^{37 38 39 40}</p> <p>- Counties urged those experiencing COVID-19 symptoms to utilize curbside voting.⁴¹</p>			
Dallas				
Denton				
Tarrant				
Bexar (San Antonio)	Generally 8 AM – 8 PM 8 AM – 10 PM during last week ⁴²			
Harris (Houston)	Generally 7 AM – 7 PM 7 AM – 10 PM during last week 24 hrs. on last day of early voting ⁴³	x**	x	x
Travis (Austin)	Generally 7 AM – 7 PM 7 AM – 9 PM during last 3 days ⁴⁴			x

2020 Election

Early voting in Texas began Oct. 13 and ended on Oct. 30. (On Jul. 27, Governor Abbott issued a Proclamation, that extended the early voting period by 6 days)⁴⁷

*Harris & Travis County opened 12 and 4 drop-box sites, respectively. Governor Abbott then limited every Texas county, regardless of size or population, to a single drop-box location.⁴⁵

**Harris County attempted to send mail-in ballot applications to all 2.4 million registered voters in the county, but the Texas Supreme Court ruled that the county clerk lacked statutory authority to send unsolicited mail-in ballot applications.⁴⁶

SB 1 OVERVIEW

Highlights

Reporting

- Sec. 1.04: Requires the Texas Secretary of State, on a monthly basis, to compare information in the existing statewide voter registration list against information in the database of the Department of Public Safety to verify the accuracy of citizenship status.

Election Process

- Sec. 2.01: Bans drive-thru voting (Curbside voting is allowed if a voter is physically unable to enter the polling place).
 - *The only Texas county to use drive-thru voting in 2020 was Harris County.*

Early Voting

- Sec. 2.07: Sets early voting window from between 6 AM to 9 PM, and early voting must be conducted:
 - At least 9 hours during regular weekdays.
 - At least 12 hours on each weekday of the last week of early voting (counties with a population of at least 30,000).
 - *24-hour voting was conducted by Harris County on the last day of early voting in the 2020 election.*

SB 1 OVERVIEW

Highlights

Video Surveillance

- Sec. 2.13: Requires counties with a population of at least 100,000 to implement video surveillance systems of all areas containing completed ballots by voters.

Poll Watchers

- Sec. 3.03: Allows partisan (both parties) poll watchers “free movement” within a polling place (Texas Election Code Sec. 33.057(b): A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice).
- Makes it a criminal offense for restricting the movement of a poll watcher.

Ballot Drop Boxes

- Sec. 3.07: Bars ballot drop boxes – voters must return mail-in ballots by mail or in person.
 - *In 2020, Harris & Travis County opened 12 and 4 drop-box sites, respectively. Governor Abbott then limited every Texas county, regardless of size or population, to a single drop-box location.*

Electronic Vote Counting

- Sec. 3.09: Requires that electronic vote-counting devices in counties with a population of at least 250,000 be equipped with software that can track all device input and activity.

SB 1 OVERVIEW

Highlights

Mail-in Ballot Applications

- Sec. 4.05: Prohibits voting clerks from sending mail-in ballot applications to vote early by mail to voters who did not request them.
 - *Harris County, during the 2020 election, attempted to send mail-in ballot applications to all 2.4 million registered voters in the county, but the Texas Supreme Court ruled that the county clerk lacked statutory authority to send unsolicited mail-in ballot applications.*

Signature Verification

- Sec. 4.11: Requires signature verification committees to notify a voter when the signature on their mail-in ballot does not match the signature on their mail-in ballot application.

Voter Assistance

- Sec. 5.01: Requires a person who simultaneously transports at least 3 voters who have disabilities and require curbside voting to fill out forms with their name and address.
- Requires those assisting voters with filling out ballots to fill out forms with their name, address, and relationship to the voter.

SB 1 OVERVIEW

Highlights

Permitting Employees to Miss Work to Vote

- Sec. 6.02: Expands the exemption for employees to miss work to vote, to include the early voting period.

Vote Harvesting

- Sec. 6.03: Makes it an offense to provide or offer to provide vote harvesting services in exchange for compensation, or to offer to compensate someone for providing vote harvesting services.
 - "Vote harvesting services" means in-person interaction with one or more voters, involving an official ballot, a ballot voted by mail, or an application for ballot by mail, intended to deliver votes for a specific candidate or measure.

Felony Conviction Notification

- Sec. 8.01: Requires courts to notify people convicted of felonies how such a conviction will impact their right to vote.

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