

VOTING, ELECTIONS, AND ACCOMMODATIONS

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DISABILITY RIGHTS TEXAS

- DRTx is part of a national network of protection and advocacy organizations (P&As) to help secure and advance the rights of people with disabilities.
- The Help America Vote Act (HAVA) is a federal law passed by congress to improve our country's election system. HAVA's main goal is to make the voting process more inclusive and accessible.
- Disability Rights Texas (DRTx) has specialists on staff to carryout a wide variety of HAVA-related activities, such as:
 - Surveying polling places for accessibility
 - Working with election officials and poll workers
 - Training people with disabilities on voting rights
 - Responding to legislative inquiries
 - Providing a toll free **voter rights hotline**

ALL FREE OF COST!!

WHY DO WE VOTE?

- Voting is a your right
- Voting allows you to choose what's most important to you.
- Voting is part of being a United States citizen
- To have your voice heard



DisabilityRights
TEXAS

AM I ELIGIBLE TO VOTE?

- ★ Are you a U.S. Citizen?
- ★ Are you at least 18 years old?
- ★ Are you currently serving a sentence for being CONVICTED of a felony
- ★ Do you have a guardian?
If yes, ask if a judge specifically said you could not vote.



GUARDIANSHIP 101

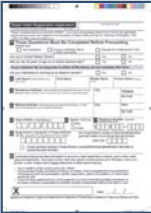
- **Unless it is stated in the guardianship orders that an individual cannot vote, they are allowed to register and vote.**
- Guardians, family members, and service providers CANNOT decide that a person lacks the capacity to vote.
- Capacity must be determined by a court.
- If a person is eligible to vote, shows an interest, and can communicate preference (in any way) apparent capacity does not matter.
- All guardianship orders issued after Sept. 1, 2007 are required to state whether the ward retains the right to vote
- Full or total guardianship = loss of civil rights, including the right to vote
- Partial, limited, or modified guardianship MAY mean the ward retains the

HOW DO I CHECK IF I AM REGISTERED TO VOTE?

- Check your voter registration status at **votetexas.gov**: Am I Registered?; or
- Check with your county voter registrar office.

HOW DO I SIGN UP

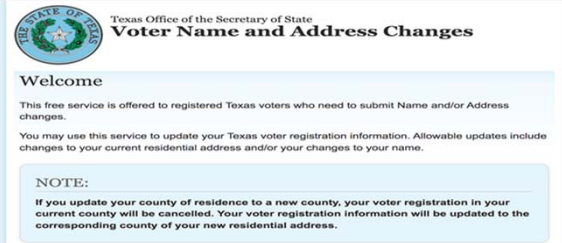
- Fill out a voter registration form
 - Post Office ▪Library ▪High School Principal ▪Texas Workforce Commission
 - Friendly DRTx Voter Rights person ▪Register2vote.org ▪State HHS office
 - Local elections/voter registrar office ▪TX Dept. of Public Safety ▪TX SOS website
- Once completed, mail in form or turn in to a Volunteer Deputy Registrar/Election official
- Once your application is approved, you will receive your registration card in the mail.



In Texas you CAN NOT register to vote online. You must mail in your application with your signature.

UPDATE VR ELECTRONICALLY

- Voters can update their registration electronically when they move from one county in Texas to another.



NOW WHAT? WHAT IS IMPORTANT TO YOU?

You Get to Decide!!

- Education
- Transportation
- Housing
- Employment/Equal Pay
- Types of services you receive
- Medicaid/Medicare



NOW WHAT? STEP 2: LEARN ABOUT THE ISSUES AND CANDIDATES



NOW WHAT? STEP 3: GO VOTE!!!

You have the right to the following accommodations:

- Special machines
- Curbside voting
- Mail-in Ballots
- Support Person
 - A support person cannot tell you how to vote
 - Cannot be an employer
 - It can be: family, friend, staff or poll worker
 - Can help explain the ballot to you



RECENT LAW CHANGES

- Recent voting laws limited the types of assistance voters could receive from the person who assists the voter.
- (Previously) only allowed to help in the following ways:
 - Reading the ballot, directing the voter to read the ballot, marking the ballot, or directing the voter to mark the ballot all to the preferences of the voter.
 - Not allowed to cue voter via word, sign or gesture how the voter should/wants to vote.
- **NEW--Texas cannot enforce laws that limit voting assistance to only reading and marking the ballot and from requiring individuals assisting voters to sign an oath stating they confined their assistance to reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot.**

VOTING BY MAIL

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BALLOT BY MAIL (BBM) (A.K.A- VOTE BY MAIL/ABSENTEE VOTING)

WHO IS ELIGIBLE?

- Any registered voter that is going to be away from their county on Election Day and during early voting;
- If you are sick or have a disability;
- 65 years of age or older on Election Day;
- Expecting to give birth within three weeks before or after election day;
- Confined in jail but are still eligible to vote.



BALLOT BY MAIL APPLICATION

HOW DO I GET A VOTE-BY-MAIL BALLOT?

- Get an official application from the Early Voting Clerk in your county, SOS office or DRTx.
- Send in a vote by mail application to your county's early voting clerk via fax, in person, or mail.
- In order to request a ballot-by-mail for all county elections in the calendar year, you may request an Annual Ballot-By-Mail application.

WHAT TO REMEMBER: Checking the disability box for eligibility, the annual ballot by mail option, may use a witness/assistant in completing the form, (voter) identification requirements, BBM tracking, option of providing contact info for county, witness signature requirements (relationship to voter).

VOTE BY MAIL BALLOT

- Ballot will be sent to the address you listed on application.
- Deadline for ballot to be received by county elections office: Election Day at 7 PM.
- **THINGS TO REMEMBER:** Witnesses must list their residential address and relationship to the voter; sign a witness oath; assistants/witnesses must list that they did not receive compensation for their service. The "cure" process, (voter) identification requirements.

***CAREGIVERS/PERSONAL ATTENDANTS: Stating you are not receiving compensation when assisting a voter does not apply to this role.*

ID NUMBER REQUIRED

- A Texas Driver license, a Texas Personal ID or a Election Identification Certificate; or
- If none of these has been issued, then the last four of your Social Security number.

***Use the **same ID number** on the Vote by Mail application and the ballot carrier envelope that you used for your voter registration.

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VOTE BY MAIL

- Provide Voter ID (TXDL, Personal ID, EIC Number or, if not available, the last four of SSN) on your Vote by Mail ballot carrier envelope (must match the VBM application).

REQUIRED INFORMATION: YOU MUST PROVIDE ONE OF THE FOLLOWING NUMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATION RECORD

Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number issued by the Texas Department of Public Safety (NOT your Voter Registration VUID #) (Número de licencia de conducir de Texas o Número de Identificación Personal o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas) (NO ES el número de su Registro Electoral VUID#)

If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number (Si no tiene licencia de conducir de Texas o Número de Identificación Personal o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas, proporcione los 4 últimos dígitos de número de Seguro Social)

I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Certificate or a Social Security Number (No me han expedido una licencia de conducir de Texas o Número de Identificación Personal o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas ni un número de Seguro Social)

XXX - XX - _____

OPTIONAL CONTACT INFORMATION: Phone: _____

Email: _____

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RECEIVING ASSISTANCE WITH A VOTE BY MAIL BALLOT

- Persons who assist voters filling out a VBM Ballot must:
 - Provide their relationship to the voter, address,
 - Sign an oath,
 - Indicate that they didn't receive compensation.

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RECEIVING ASSISTANCE WITH A VOTE BY MAIL BALLOT

• A voter may be assisted if the voter has a physical disability that renders the voter unable to write or see, or has an inability to read the language in which the ballot is written. If you are assisting the voter, you must read the oath and complete the section below, before assisting the voter.

• **Oath of Person Assisting Voter:** "I swear (or affirm) under penalty of perjury that the voter I am assisting represented to me they are eligible to receive assistance; I will not suggest, by word, sign, or gesture, how the voter should vote; I will confine my assistance to reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot; I will prepare the voter's ballot as the voter directs; I did not pressure or coerce the voter into choosing me to provide assistance; I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; I will not communicate information about how the voter has voted to another person; and I understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted."

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Receiving Assistance with the Application to Vote by Mail

- Assistant – If a person (other than a close relative or person registered to vote at the same address) assists you in completing the application; or mails, faxes or emails this application on your behalf, the assistant must complete Box 6. The assistant must sign and provide his or her printed name and residence address.

6. If someone helps you complete this form or mails, emails or faxes the form for you, that person must complete the section below.

Instructions for Witnesses and Assistants: See back of this form for the definitions of Witness and Assistant.
Check one or both boxes below if you served as a Witness, an Assistant or both. All information below must be completed!

If the applicant is unable to make a mark, you must check this box and complete all information below. Do not sign for the voter in Box 5.

Witness – If you are acting as a Witness to the applicant's signature or mark or signing on the applicant's behalf, you must state your relationship to the applicant here: _____ (Indicate Relationship)

Assistant – If you assisted the applicant in completing this application in the applicant's presence or mailed/mailed/mailed the application on behalf of the applicant.

Failure to complete this section is a Class A Misdemeanor if applicant's signature was witnessed or applicant was assisted in completing this application.

X _____
 Signature of Witness/Assistant Printed Name of Witness/Assistant

 Street Address Apt. # (if any) City State Zip Code

Este formulario está disponible en Español. Para conseguir la versión en Español favor llamar sin cargo al 1-800-252-8683 o la oficina del Secretario de Estado o la Secretaría de Votación Adelantada.

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TIPS FOR FILLING OUT THE VBM APPLICATION

- Don't forget to sign the application.
- If the voter is unable to sign the application, someone else can witness the signature.
- For the primary, select a party

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VOTE BY MAIL ID CURING

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CURE PROCESS

- If you provide contact information, the Elections Department may reach out to you if they have a concern with your ballot.
- Important to turn in application and ballot early
- Track your Vote by Mail application and ballot online
- VoteTexas.gov (new tracker)

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VBM ID Curing

- Curing process for VBM apps:
 - County must provide notice of the rejection
 - Notice must include info about the ability to correct or add # on the online VBM tracker.
 - If a voter uploads a number that “identifies” them, then the county must provide the voter with a VBM ballot.
- Curing process for VBM ballots:
 - Wrapped into general process for curing VBM ballots

VBM CURING

- New process to notify voters of certain problems with VBM ballot and fix
- Triggered by the following problems:
 - Signature issue (failure to sign or mismatch)
 - Missing a required statement of residence
 - Incomplete or inaccurate ID numbers
 - Incomplete information regarding a witness

CHANGE YOUR MIND AND WANT TO VOTE IN PERSON?

- Surrender your unmarked ballot at a polling place and vote a regular ballot.
- If you lose your Vote by Mail ballot, you may vote in person with a provisional ballot.
- On election day a voter may hand deliver a ballot to their early voting clerk. The voter must show their photo ID.

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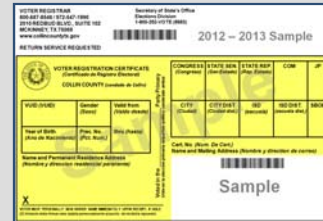
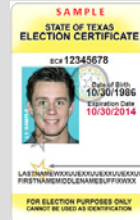
VOTING IN PERSON

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WHAT DO I BRING TO VOTE?

In order to vote, an individual **MUST** have one of the following types of ID:

- o Texas driver license issued by the Texas Department of Public Safety (DPS)
- o Texas Election Identification Certificate issued by DPS
- o Texas personal identification card issued by DPS
- o Texas handgun license issued by DPS
- o United States military identification card containing the person's photograph
- o United States citizenship certificate containing the person's photograph
- o United States passport



CAN Bring: "Cheat Sheet" and/or Support Person...

VOTER ID-CONTINUED

If you do not have any of the approved 7 forms of identification, you may use these approved alternative forms of identification, along with a completed and signed copy of the Reasonable Impediment Form.

Texas Department of Public Safety (DPS) issued photo IDs

- Driver's license
- Personal Identification card
- Concealed handgun license
- Election Identification Certificate

United State's Government Issued Photo IDs

- Passport
- Military identification card
- Citizenship certificate or naturalization certificate

Or use ANY of these other common IDs (must include voter's name and an address that doesn't have to match your voter registration)

- Valid voter registration certificate
- Certified birth certificate
- Current utility bill
- Bank statement
- Paycheck
- Government check
- Any other government document (including student ID from public high school, community colleges, and public universities—must include name and address)

REASONABLE IMPEDIMENT FORM

REASONABLE IMPEDIMENT DECLARATION

TO BE COMPLETED BY VOTER

Name: _____

VOTER'S DECLARATION OF REASONABLE IMPEDIMENT OR DIFFICULTY

By signing this declaration, I swear or affirm under penalty of perjury that I am the same individual who personally appeared at the polling place, that I am casting a ballot while voting in-person, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s): (Check at least one box below)

- Lack of transportation documents needed to obtain acceptable photo ID

 Disability or illness

 Lack of birth certificate or other
- Work schedule Family responsibilities

 Lost or stolen photo ID Photo ID applied for but not received
- Other reasonable impediment or difficulty _____

The reasonableness of your impediment or difficulty cannot be questioned.

X _____

Signature of Voter

Date

Sworn to and subscribed before me this day of ____, 20__ Presiding Judge _____

VOTING IN PERSON

- It is your right to cast a ballot **privately** and **independently**.
- During early voting, you may vote at any polling location.
- The ADA requires that all polling places meet strict accessibility standards.
- Ask for accommodations
- Moving ahead in line (notice of voting order) -
 - The **notice of voting order** allows a voter with a disability and their helper to request to move ahead of other voters in line.

Reasonable Accommodation Request

- Sec. 1.022. REASONABLE ACCOMMODATION OR MODIFICATION.
A provision of this code may not be interpreted to prohibit or limit the right of a qualified individual with a disability from requesting a reasonable accommodation or modification to any election standard, practice, or procedure mandated by law or rule that the individual is entitled to request under federal or state law.

LET'S MAKE A VOTING PLAN!!

1. How will I vote?

- a. In person or by mail
- b. Early voting or Election Day

2. Do I need to request a ballot by mail?

- a. yes
- b. no

3. When will I vote?

- a. What day?
- b. What time?

4. Where will I vote?

- a. Location of polling site
- b. Do I know how to get there? Do I need a map?

5. How will I get there?

- a. Do I need a ride?

6. Do I have a sample ballot?

- a. Yes
- b. No. Where can I get one?

7. Do I need assistance?

- a. Yes or No
- b. If I do need help. Who will help me?

8. Do I need an accommodation?

- a. Yes or No
- b. If I do need an accommodation, what is it?

9. Who can I bring with me to vote?

IMPORTANT VOTING DATES

March Primary Elections

- Last day to register to vote: February 5, 2024
 - Early voting: February 20-March 1, 2024
 - Last day to apply for Ballot By Mail: February 23, 2024
- **Applications must be received by this date*
- Last day for election offices to receive mail-in ballot: March 5, 2024
 - Election Day: March 5, 2024

So Now What Do I Do?

GET INVOLVED

- We have a voice in the type of services and opportunities available to Texans with disabilities.
- Remember: The legislature funds services and develops laws and policies that effect people with disabilities and their families.
- People with disabilities and their families need to make it clear where they want to live, what services they need to thrive in the community, and what issues that impact them Policy Makers should address.



WAYS TO BE INVOLVED

- Educate decision makers such as legislators and agency staff;
- Stay informed through social media and email updates;
- Attend legislative and agency hearings, town halls, etc.;
- Brush up on your advocacy skills through trainings and webinars (there are groups that will help you advocate)
- Write your local news outlet and let them know the issues that concern you!

REMEMBER

- Winning in politics isn't easy
- In order to change policy and laws, you have to:
 - Understand the process (local, state, federal).
 - Understand your power.
 - Know WHEN, WHY and HOW to communicate with decision makers

IT IS NOT ENOUGH TO BE RIGHT!

QUESTIONS ?

Jeff Miller

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Voter Rights Hotline

1-888-796-VOTE (8683)