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EFFECTIVE SEPTEMBER 1, 2023, OUR LOBBY WALK-IN HOURS WILL BE 9 A.M. - 4 P.M. (CENTRAL), MONDAY - FRIDAY.

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Election Advisory No. 2025-12

To: All Election Officials

From: Christina Adkins, Director of Elections

A handwritten signature in black ink, appearing to read "CHA".

Date: September 11, 2025

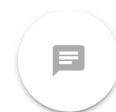
RE: NEW LAW: Changes to Curbside Voting Requirements and Assistant Procedures – House Bill 521

In its 89th Regular Session, the Texas Legislature enacted [House Bill 521 \(PDF\)](#) (89th Leg., R.S., effective September 1, 2025), which amended several sections of the Texas Election Code to add certain requirements for election officials assisting voters, as well as several new curbside voting procedures. HB 521 took effect September 1, 2025.

This advisory details the new curbside voting requirements and changes to procedures relating to election officials assisting voters. This bill will be in effect for the upcoming November 4, 2025 Constitutional Amendment election.

Our office has updated and created new forms to assist you in preparing for future elections. Throughout this advisory, these new and updated forms are referenced. The new and updated forms can be found in our [Election Forms Index](#). The updated and new forms are also listed below:

- Form 7-35 Distance Marker
- Form 7-43 Curbside Voting Sign – Notification by Phone Number
- Form 7-44 Curbside Voting Sign – Notification by Ringing Bell
- Form 7-45 Curbside Distance Marker



- Form 7-65 Information of Person Who Provided Transportation to a Total of Seven or More Curbside Voters During Early Voting and Election Day
- Form 7-66 Curbside Voter Statement
- Form 7-67 Election Worker Assistance Sheet

All statutory references in this advisory are to the Texas Election Code (“the Code”), unless otherwise indicated.

Changes to Curbside Voting

New Electioneering Prohibition

HB 521 amended Section 61.003 of the Code to prohibit an individual from electioneering within 20 feet of a parking space designated for curbside voting. The 20-foot distance marker is in addition to the current 100-foot distance maker, meaning that the 100-foot zone still exists around a polling location but could possibly be extended if your designated curbside spot is on the edge of the 100-foot zone. See *Figure A* below as an example.

Further, Section 62.010 of the Code requires that an election officer place one or more distance markers at the outer limits of the area where electioneering and loitering is prohibited. Our office has created [Form 7-45 Curbside Distance Marker \(PDF\)](#) specifically to mark the curbside voting area.

An individual who electioneers or loiters within this 20-foot area commits a Class C misdemeanor.

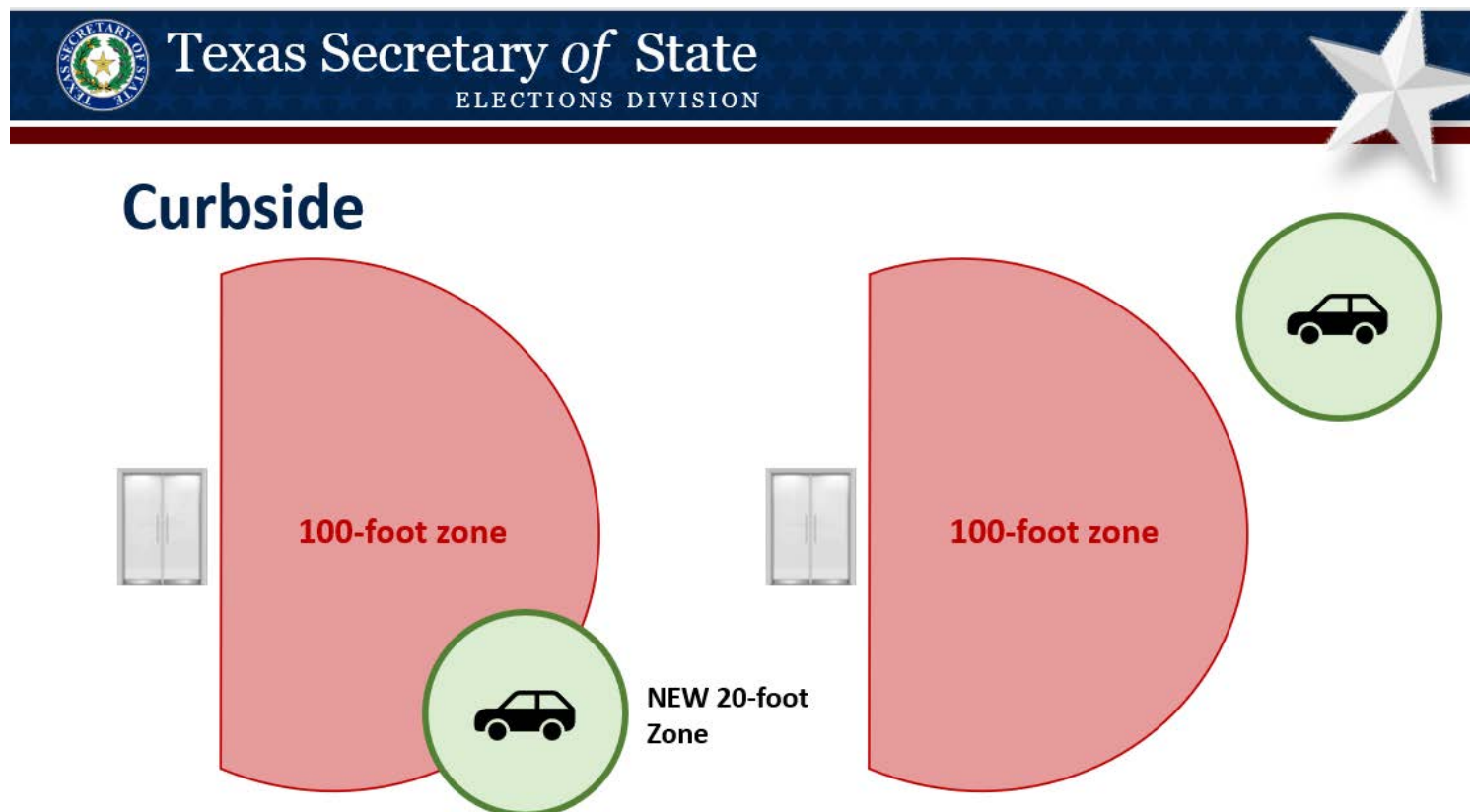


Figure A

Changes to Signage Designating the Curbside Area

HB 521 amended Section 64.009 of the Code to require that additional language be displayed on the sign designating the curbside voting area. The Code now requires the sign to also indicate that electioneering or loitering is prohibited within 20 feet of the designated curbside space. Our office has updated both Form 7-43 Curbside Voting Sign – Notification by Phone Number and Form 7-44 Curbside Voting Sign – Notification by Ringing Bell to reflect this new requirement.

Curbside Voter Statement

In addition to the new prohibitions on electioneering, HB 521 made several changes to the processing of voters for curbside voting.

Section 64.009 of the Code now requires that before an election officer may allow a voter to vote curbside, the voter **must** complete and sign a form that has the following statement:

“I swear (or affirm) under penalty of perjury that I am physically unable to enter the polling place without personal assistance or likelihood of injuring my health, or I am requesting a reasonable accommodation under Section 1.022, Election Code. Therefore, I am requesting to vote outside the polling place.”

Our office has created Form 7-66 Curbside Voter Statement that your county may use for this purpose. An electronic version of this form may be built into the electronic pollbook to satisfy the new requirement. **A completed Curbside Voter Statement form must be delivered to the Secretary of State as soon as practicable.** Your office may email this form to elections@sos.texas.gov.

Delivering Ballots to Curbside Voters

Section 64.009 of the Code now requires that if there are four or more election officers at a polling location, two election officers are required to deliver a ballot to the voter voting curbside regardless of if it is during early voting or on election day. If there are fewer than four election officers at the polling location, then one election officer can deliver the ballot to the curbside voter.

HB 521 further specifies that if an individual is accompanying a curbside voter who is unable to enter the polling place, an election officer shall deliver a ballot to the accompanying individual at the polling place entrance or curb at the accompanying individual's request. As a result, an individual who accompanies a voter who is eligible to vote curbside may also vote curbside. The accompanying individual would not be required to complete the Curbside Voter Statement.

Transporting Seven or More Voters for Curbside Voting

HB 521 also amended Section 64.009 of the Code as it relates to transporting multiple curbside voters to a polling location. The law now requires the election officer to ask the person providing transportation whether the person has

assisted a total of seven or more voters during **the early voting period and on election day** by transporting them to vote curbside. If the person indicates they have assisted seven or more curbside voters, the person must complete and sign a form.

The law now requires an individual who transports a total of seven or more curbside voters to *any polling location during the entire early voting period and on election day combined* to sign the form. An individual who intentionally fails to complete this form commits a Class A misdemeanor.

An updated version of Form 7-65 Information of Person Who Provided Transportation to a Total of Seven or More Curbside Voters During Early Voting and Election Day can be found in the [Election Forms Index](#).

Completed forms must be delivered to the Secretary of State as soon as practicable. This form may be submitted to our office via email. Please send the forms to elections@sos.texas.gov.

Procedures for Election Officials who Provide Assistance

HB 521 amended Section 64.0322 of the Code to require an election official who provides assistance to a voter to complete Form 7-67 Election Worker Assistance Sheet. This requirement applies to assistance administered both during the curbside voting process, as well as in-person voting within a polling location. However, an election official would not be required to put their information on a combination form. Our office has made a separate form specifically for election workers who assist voters. This form can also be found in our [Election Forms Index](#).

An election official who assists a voter is not required to take the oath of assistance. This is because Texas Election Code Section 64.034 provides that the oath of assistance must be completed by “a person, other than an election officer, selected to provide assistance to a voter.”

Additionally, HB 521 provides that not later than the 30th day after the date of the election, the county election official shall report to the Secretary of State information regarding any individuals, including election workers, who assisted a total of seven or more voters during the early voting period and on election day. The information required to be reported includes:

- The name and address of the person assisting the voter;
- The relationship to the voter of the person assisting the voter; and
- Whether the person assisting the voter received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee.

Please submit these forms to elections@sos.texas.gov.

Frequently Asked Questions Related to Curbside Voting

Q1: Who is eligible to vote curbside?

A1: A voter is eligible to vote curbside if the voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health or the voter is requesting a reasonable accommodation.

Q2: What is a reasonable accommodation?

A2: Election Code Section 1.022 provides that a provision of the Election 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. Section 64.009(a-3) specifically allows for a qualified individual with a disability to request curbside voting as a reasonable accommodation at the polling place.

For guidance on other reasonable accommodations that may be authorized or required by law, we would recommend that the authority conducting the election consult with their legal counsel.

Q3: Does the 20-foot prohibition on electioneering within a designated curbside space impact the 100-foot zone that our polling locations currently have?

A3: No. The current prohibition on electioneering is still in place and remains unchanged by this law. HB 521 creates a separate zone specifically for curbside voters. Essentially, there are now two specific zones in which electioneering is prohibited. The 20-foot zone can be wholly contained within the 100-foot zone or it can be located outside the 100-foot zone depending on the location of your designated curbside space.

Q4: Where do we begin the measurement for the 20-foot zone?

A4: Election Code Section 61.003(a) provides that an individual may not electioneer or loiter within 20 feet of a parking space designated for curbside voting. Our office recommends measuring the 20 feet from the end of the parking space.

Q5: Are both the distance markers and the curbside sign designating the space for curbside required? Or will we satisfy the requirements of the Election Code if the sign designating the area for curbside voting also indicates that electioneering is prohibited?

A5: Both the Curbside Voting Sign and the Curbside Distance Marker forms are **required** to be posted. Section 62.010 of the Code requires that an election officer place one or more distance markers at the outer limits of the area within which electioneering is prohibited. This is in addition to the required posting designating the curbside area as set out in Section 64.009 of the Code.

Q6: Do we need to update our current signs that designate the space for curbside voting if they do not have the new language about electioneering?

A6: Yes. Election Code Section 64.009(a-1) requires that in addition to indicating the space is reserved for curbside, the sign must also display that electioneering is prohibited within 20 feet of the designated parking space.

Q7: What happens if a voter refuses to sign the Curbside Voter Statement?

A7: 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.

Q8: Can an election worker offer a voter a provisional ballot if they refuse to sign the Curbside Voter Statement and are legally required to do so?

A8: No. HB 521 requires a voter to sign the statement in order to be able to vote curbside. If a voter refuses to sign the statement, the election worker should instruct the voter that they may still vote inside the polling location.

Q9: May an election worker question the nature of the voter's disability for purposes of curbside voting?

A9: No. There is no authority to question the nature of the voter's disability.

Q10: How do we determine which voter must complete the Curbside Voter Statement?

A10: While an election worker may not ask a voter what their disability is, they may remind voters in the car of the eligibility requirements to vote curbside. If there is a group of voters in the vehicle, an election worker does have the authority to remind them of the eligibility requirements for curbside voting and may ask whether anyone in the car meets these requirements but cannot ask how they meet the requirements. A person accompanying an individual who is voting curbside must also, at the individual's request, be allowed to vote curbside without signing the Curbside Voter Statement.

If your office has any questions about whether their methods to process curbside voters would be permissible, please contact our office.

Q11: If one person in the vehicle signs the Curbside Voter Statement, do we have to get signatures from other eligible individuals?

A11: Every individual who is unable to enter a polling location without personal assistance or likelihood of injuring their health, or is requesting a reasonable accommodation, should sign the Curbside Voter Statement. However, a person accompanying an individual who is voting curbside must also, at the individual's request, be allowed to vote curbside without signing the Curbside Voter Statement.

Q12: What is the procedure if a voter is unable to sign their name, makes a mark, or is unable to make a mark on the Curbside Voter Statement?

A12: If an individual is unable to sign their name, makes a mark, or is unable to make a mark on the Curbside Voter Statement anyone in their car can act as that voter's witness. Texas Election Code Section 1.011 requires the witness to provide their printed name, signature, and residence address unless the witness is an election officer, in which case the witness must state the witness's official title.

Q13: Are election workers now required to track the vehicles who transport voters to vote curbside?

A13: No. The law does not require poll workers to separately track the vehicles that have transported individuals to vote curbside. Section 64.009 of the Code just requires that the election officer ask whether an individual has assisted a total of seven or more curbside voters by providing transportation to the polling place; if they have, the individual must sign Form 7-65 Information of Person Who Provided Transportation to a Total of Seven or More Curbside Voters During Early Voting and Election Day.

Q14: What if our office believes that an individual has transported seven or more curbside voters to the polling location, but they are refusing to sign the form?

A14: HB 521 provides that a person commits a Class A misdemeanor if the individual intentionally fails to complete this form. An election worker may inform the driver that intentional failure to sign this form is a Class A misdemeanor. If you believe an individual has committed a crime, our office recommends discussing this issue with your county's prosecuting attorney. Further, if a voter believes that a crime has been committed, they may file an election complaint with our office.

Q15: If a person refuses to sign the form for transporting seven or more curbside voters, can the voter still vote curbside?

A15: Yes. If the voter signs the Curbside Voter Statement, they should still be allowed to vote curbside.

Q16: Do drivers who transport voters to the polling location have to sign the form if they are not transporting the voters to vote curbside?

A16: No. Form 7-65 must only be signed by individuals who transport a total of seven or more voters who are curbside voting.

Frequently Asked Questions Related to Election Officials Assisting Voters

Q17: Is an election official able to provide assistance to a curbside voter?

A17: Yes, an election worker is able to provide assistance to a curbside voter. However, the law now requires that the election official complete an Election Worker Assistance Sheet if assistance is rendered in a polling location or for curbside voting. Remember: Two election officers are required to provide assistance on Election Day, while only one is required for early voting. If possible, election officials from each party should assist the curbside voter.

Q18: Are election workers required to take the oath of assistance every time they assist a voter?

A18: No. While Election Code Section 64.0322 (as amended by HB 521) does require a poll worker to complete the assistance form when providing assistance to the voter, Election Code Section 64.034 provides that the oath of assistance must be completed by “a person, other than an election officer, selected to provide assistance to a voter.” Because Section 64.034 was not amended by HB 521 or any other recent legislation, a poll worker who provides assistance would be required to complete the assistance form but would not be required to sign the oath of assistance.

Q19: Does an election worker have to fill out the assistance form every time they assist a voter?

A19: Yes, an election worker must fill out the election worker assistance form every time they assist a voter in voting a ballot. However, a poll worker providing general instructions would not be required to fill out the assistance form.

Q20: Can an election worker provide general instructions to a voter without having to complete the Election Worker Assistance Sheet?

A20: Assistance can be provided in a broad variety of ways that go beyond the statutory definition of assistance in Election Code Section 64.0321. A poll worker can provide a voter with general guidance about the procedures for using voting system equipment (and activating specific features on the equipment), the procedures for marking and casting a ballot, and other general instructions and guidelines at the polling place without those activities constituting formal assistance that would require the worker to complete the assistance form. However, if the voter requests assistance and the worker assists the voter in completing their ballot, then that would require the worker to complete the assistance form.

Q21: When an election worker completes the Election Worker Assistance Sheet, are they required to answer “yes” to the compensation question because of their service as an election worker?

A21: Election Code Section 64.0322(a)(3) requires a person completing the assistance form to indicate “whether the person assisting the voter received or accepted any form of compensation or other benefit from **a candidate, campaign, or political committee.**” In other words, the compensation question is asking specifically whether the person has received compensation from a candidate, campaign, or political committee, and not whether the person received compensation for providing assistance in general. A person would not be required to indicate “yes” to that question simply by virtue of their service as a poll worker, because poll workers are compensated by the county, a local entity, or a political party conducting a primary election, and not by a candidate, campaign, or political committee. However, there may be specific factual situations where a person that separately receives compensation from a

candidate, campaign, or political committee for activities outside their service as a poll worker could be required to indicate “yes” to that question.

Q22: Is the Election Worker Assistance Sheet public information?

A22: Yes. However, [Senate Bill 1540 \(PDF\)](#) (89th Leg., R.S.) amended Section 552.1175(a) of the Government Code by adding confidentiality protections for a current or former election official, volunteer, or designee of an election official as defined by [Section 1.005](#) of the Election Code. Our office recommends that you inform your election workers that they are eligible for confidentiality and that it will protect their personal information from being disclosed while responding to public information requests. To obtain confidentiality, an individual will need to fill out Form 21-19 Request for Confidentiality Under Texas Government Code.

If you have any questions or circumstances that are not covered by this advisory, please do not hesitate to contact the Elections Division toll-free at 1-800-252-2216.

CA:RJ