

Assistance Procedures

An eligible voter is entitled to receive assistance from a person of his or her choosing, so long as that person is eligible to provide assistance under Section 208 of the Voting Rights Act, and that assistance is not limited to marking or reading the ballot or otherwise limited to conduct that occurs in the voting booth.

Under Section 64.032 of the Code, a voter who is eligible to receive assistance is entitled to be assisted by a person of the voter's choice. The voter may be assisted by any person selected by the voter other than 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.

If the voter is assisted by a person of the voter's choice, then the assistant must take the oath of assistance. The assistant's name and address shall be entered on the poll list (or electronic pollbook) beside the voter's name. Under Section 64.0322 of the Code, the assistant must also complete a form stating the name and address of the person assisting the voter, the relationship of the voter to the assistant, and whether the assistant received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee.

Alternatively, if the voter does not select his or her own assistant, then the voter may be assisted by two election officers, if the voter is voting on election day, or one election officer, if the voter is voting during the early voting period. If the voter is assisted by election officers in the general election for state and county officers, then each officer must be aligned with a different party unless there are not two or more officers serving at the polling place who are aligned with different parties.

The person assisting the voter must read him or her the entire ballot, unless the voter asks to have only parts of the ballot read. The person assisting the voter must take an oath that, among other things, he or she will not suggest (by word, sign, or gesture) how the voter should vote and will mark the ballot as the voter directs. If the voter chooses to be assisted by polling place officials, poll watchers and election inspectors may observe the voting process. However, if the voter asks to be assisted by a person the voter chooses, no one else may watch him or her vote.