

## Curbside Voting Requirements

### General Requirements for Curbside Voting

Under Section 64.009 of the Code, if a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, then an election officer shall deliver a ballot or voting machine to the voter at the polling place entrance or curb on the voter's request. This process is commonly referred to as "curbside voting."

Curbside voting **MUST** be available at all polling locations during early voting and on election day. In addition, curbside voting must be provided in a way that does not impede the entrance to the polling place. Election officials should consider these obligations when selecting their polling places.

An election official may not question the voter's request to vote curbside. On the voter's request, a person accompanying the voter shall be permitted to select the voter's ballot and deposit the ballot in the ballot box. (Sec. 64.009(d)).

When individuals vote curbside, their car becomes their voting station. Curbside voters must be afforded the opportunity to vote their ballot privately (in the same way as a voter in the voting booth) and thus are entitled to vote without the interference of campaigns or bystanders. Per Section 32.075 of the Code, the presiding judge has the authority to preserve order and prevent breaches of peace if there are individuals harassing voters while they vote curbside.

Under Section 64.009(f) of the Code, a person who simultaneously assists seven or more curbside voters by providing the voters transportation to the polling place must complete and sign a form, provided by an election officer, that contains the person's name and address and whether the person is providing assistance solely under Section 64.009 or if the person is also providing assistance under Chapter 64, Subchapter B. A form completed under this process shall be delivered to the Secretary of State as soon as practicable. (Sec. 64.009(g)). Section 64.009(f) does not apply if the person assisting is related to each voter within the second degree by affinity (marriage) or the third degree by consanguinity (blood). (Sec. 64.009(f-1)).

The prescribed form for the transportation of seven or more curbside voters is available in the [Election Forms Manual](#) on the Secretary of State's website.

## **Pollbook Requirements for Curbside Voting**

Voters who vote through the curbside voting process must be provided the same procedures and accommodations for voting as other voters, including the use of electronic pollbook devices for the check-in process.

If all voters are checked in at the polling place using electronic pollbook equipment, then the same process should be used for curbside voters. In that situation, curbside voters cannot be asked to complete a separate combination form, as that is an impermissible method of tracking which voters used curbside voting procedures. Curbside voters should be provided with the same check-in process afforded to other voters on the electronic pollbook devices.

## **Voting System Requirements for Curbside Voting**

Voters who vote through the curbside voting process also must be provided the same procedures and accommodations as other voters with respect to the use of accessible voting system equipment. Under Section 61.012 of the Code, each polling place and early voting location must provide at least one unit of accessible voting system equipment to allow voters with disabilities to independently vote a secret ballot. That equipment must be available for curbside voters in the same manner that it is available for voters inside the polling place.

If an entity uses an electronic voting system as their primary method of voting, then the entity must provide that electronic voting system to all voters, whether they are voting curbside or in the polling place. Section 123.005 of the Code provides that regular paper ballots may not be used at a polling location that uses an electronic voting system.

If an entity uses an electronic voting system for accessibility purposes and uses hand-marked paper ballots as the primary method of voting, then the entity may offer paper ballots to curbside voters, but should be prepared to provide that equipment for any curbside voters who require the use of accessible voting system equipment.

## **New Curbside Voting Requirements Under SB 477**

SB 477 also amended Section 64.009 of the Code to include additional requirements for curbside voting at each polling location.

Each polling place must provide a reserved area for curbside voting that is not smaller than the size of one parking space. The area may not be designated specifically for voters with disabilities, and the designated curbside voting area should be separate from any accessible parking spaces provided at the location.

The designated area must be clearly marked with a sign indicating that the space is reserved for use by a voter who is unable to enter the polling place. The designated area must also include a method for the voter to notify the election officers at the polling place that the voter wishes to vote curbside. This requirement may be satisfied in one of two ways:

1. Displaying a phone number that the voter may call or text to request assistance from an election officer at the polling place. The number must be displayed in large font that is clearly readable from a vehicle.

OR

2. Providing a button or intercom in the designated curbside voting area that the voter may use to request assistance from an election officer.

The county election officer's website must also include a description of all procedures and accommodations available for voters with disabilities, including curbside voting procedures. The website posting should include information about how a voter can request curbside assistance at the polling place, including information about whether the designated area will display a phone number or will provide a button or intercom to allow the voter to request assistance. Any other county-specific procedures for curbside voting should be included in the posting.

**FOR CURBSIDE ASSISTANCE CALL:**

**432-498-4030**

## **New Requirements under SB 477: Signage Requirements for Curbside Area – Call**

One of the two methods that a political subdivision may use to satisfy the signage requirements for a designated curbside voting area is to display a sign with a phone number that the voter may call to request assistance from an election officer at the polling place. The number must be displayed in large font that is clearly readable from a vehicle.

There are several different ways that the political subdivision can accomplish this notification method, including:

- Distributing cell phones to each polling location and displaying that cell phone number on the sign as a method for voters to call for curbside assistance;
- Providing a phone number on the sign, to call for curbside assistance;
  - The phone number to call may direct to a central call center line managed by the county election office that allows the election office to immediately contact the proper polling place, or it may be used to directly reach the officials at the proper polling place.

Other methods for managing this process may be used by the political subdivision, provided that a voter is given the opportunity call to request curbside assistance at each polling place, and the political subdivision is able to provide a notification to the voter that the voter's request has been received.

**FOR CURBSIDE ASSISTANCE CALL:**

**432-498-4030**