

FAQs with the Elections Division 2/24/2022

Texas Secretary of State – Elections Division



TOPICS COVERED

- Electioneering
- Forwarded ABBMs
- Correcting Defects in Carrier Envelopes



Electioneering

- On September 30, 2021, the U.S. District Court for the Southern District of Texas issued a final judgment in *Ostrewich v. Hudspeth, et al.*, a lawsuit challenging the electioneering provisions in Sections 61.003, 61.010, and 85.036 of the Texas Election Code to the extent that such provisions related to voters' apparel during voting. The lawsuit was based on the United States Supreme Court case of *Minnesota Voters Alliance v. Mansky*, 138 S. Ct. 1876 (2018).
- Based on the district court's ruling, **a person may not wear apparel or a similar communicative device relating to a candidate, measure, or political party appearing on the ballot in the current election under Section 61.010, but a person may wear such apparel relating to a candidate, measure, or political party that does not appear on the ballot in the current election.**



Forwarded ABBMs

- If a forwarded ABBM you receive is untimely for this election, you **MUST** still process the ABBM.
 - You would reject the ABBM for this election.
 - If Annual ABBM, you would accept for other later occurring elections.



Correcting Defects

- Not all defects can be fixed online – only missing or incorrect personal identification information.
- Online corrections are available if a voter has both personal identification numbers in their TEAM record.



Correcting Defects

- If the ballot board notifies a voter of a defect by phone, you can also mail or email the voter Form 8-24.
- However, the voter may only appear in person to correct defect or they may cancel their mail ballot.
- There is no authority in the Election Code for the voter to return only the corrective action form by mail or email to the early voting clerk.



Correcting Defects

- Return Deadline for Carrier Envelopes mailed back to the voter by the EVBB: **Election Day**
- Return Deadline for Carrier Envelopes mailed back to the voter by the EVC: **5:00 PM Next Business Day after Election Day** (or later if military/overseas voter) – See Calendar for all deadlines.



Where can I find updated forms?

- We have a special section of the Elections Forms Manual where we are listing all the new or updated 2022 forms.

Selected New and Updated Forms for 2022 Election					
Form	Instructions	Form	Form Number	Revision Date	Previous Form Number
*Carrier Envelope (regular ABBM)	Notes	Form	6-15	12/2021	AW5-22
*Information about Returning Your Carrier Envelope (Carrier Insert)	Notes	Form	6-16	12/2021	AW5-22b
Carrier Envelope (FPCA)	Notes	Form	6-35	01/2022	N/A
*Information about Returning Your Voted Mail Ballot (FPCA Insert)	Notes	Form	6-36	01/2022	AW5-35
Signature Sheet for FPCA Voters		Form	6-37	01/2022	N/A
Dear Voter Letter		Form	6-19	01/2022	N/A
*Notice of Rejected Application for Ballot by Mail	Notes	Form	6-2	12/2021	AW5-16
Notice of Rejected Application for Ballot by Mail - Missing or Incorrect Personal Identification Numbers		Form	6-3	12/2021	N/A
Notice of Rejected Application for Ballot by Mail - Required Personal Identification Number is Not Associated with Your Voter Record		Form	6-4	12/2021	N/A
Oath of Assistance and Oath of Interpreter Form	Notes	Form	7-58	12/2021	AW7-3
Curbside Voting Assistance Forms		Form	7-59	01/2022	N/A
*Roster for Voters Hand-Delivering Carrier Envelope	Notes	Form	5-6	12/2021	AW5-11a
*Register of Spoiled Ballots	Notes	Form	7-80	12/2021	7-5
SAMPLE Roster of Voters with Defective Carrier Envelopes – Returned to the Voter by Mail		Form	8-20	01/2022	NA
SAMPLE Roster of Voters with Defective Carrier Envelopes – Voter Notified by Phone or Email		Form	8-21	01/2022	NA
SAMPLE Roster of FPCA Voters with Defective Carrier Envelopes – Notified by Phone or Email		Form	8-22	01/2022	NA
Notice of Carrier Defect – Carrier Envelope Returned by to Voter by Mail		Form	8-23	01/2022	NA
Notice of Carrier Defect – Voter Notified by Phone or Email		Form	8-24	01/2022	NA
Notice of Surrendered Ballot		Form	6-13	01/2022	N/A
Corrective Action for Carrier Envelope		Form	6-14	01/2022	N/A
*Request to Cancel Application for Ballot by Mail – Early Voting Clerk's Form	Notes	Form (Spanish)	6-6	12/22	5-17
Request to Cancel Application for Ballot by Mail – Polling Place Form		Form	6-7	12/22	N/A



Where can I find webinar recordings and presentations?

- On the SOS's Training and Educational Resources page

Webinars for County Election Officials			
Precincts and Polling Places and Redistricting (PDF)	Elections2021	2/23/2021	
Legislative Update	Elections2021	12/15/2021	
Preparing for your May 2, 2022 Constitutional Amendment Election	Elections2021	12/20/2021	Preparing for your May 2, 2022 Constitutional Amendment Election (PDF)
Reviewing the new Application for Ballot by Mail form (ABBM)	Elections2021	12/21/2021	Reviewing the new Application for Ballot by Mail form (ABBM) (PDF)
FAQs on New ABBM Requirements	Elections2022	01/19/2022	FAQs on New ABBM Requirements (PDF)
Early Voting in Person Changes	Elections2022	1/27/2022	Early Voting in Person Changes (PDF)
Opportunity to Correct Defects on Application for Ballot by Mail and Carrier Envelope	Elections2022	2/1/2022	Opportunity to Correct Defects on Application for Ballot by Mail and Carrier Envelope (PDF)

For information on additional webinars, please contact elections@sos.texas.gov.



Questions?

elections@sos.texas.gov

