

Corrective Action Process for EVBB/SVC Members

General Election for State and County Officers
(GESCO)

Texas Secretary of State – Elections Division



CHANGES TO ABBMs



CHANGES TO THE ABBM

1. Voter Information: Please print all information clearly and legibly					YOU MUST PROVIDE ONE of the following numbers				
Name: _____					Texas Driver's License, Texas Personal Identification Number or Election Identification Certificate Number issued by the Department of Public Safety (NOT your voter registration VUID#)				
Last,	First,		Middle		Suffix (jr, Sr)			_____	
Residence Address as shown on your Voter Registration Certificate									
Address: _____					If you do not have a Texas Driver's License, Texas Personal Identification Number or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number				
Street	Apt. # (if any)		City		State		Zip Code		
Optional Information: Providing this information is helpful to the Early Voting Clerk, but not required.									
Date of Birth: ____ / ____ / ____		VUID #: _____			Pct #: _____				
Email: _____					Tel. #: _____				

Box 1: Personal Identification Numbers – Voter must provide:

- Texas Driver's License, Texas Personal Identification Number, or Election Identification Certificate Number issued by DPS, OR
- Last four digits of SSN, OR
- An indication that they have not been issued either number.
- **The personal identification information provided by the voter on the ABBM MUST be validated off of the voter's voter registration record.**



CHANGES TO FPCA PROCESS



FPCA Signature Sheet

Prescribed by the Secretary of State
Section 301.005, Texas Election Code
12/2021

OFFICIAL ELECTION SIGNATURE SHEET FOR AN FPCA VOTER
Voter Signature Sheet from Absentee Voter to Local Election Official

Notice to Voter: If you received your ballot via email, you must return your marked ballot with this signature sheet in order for your ballot to be counted.

Instructions for Voter: Please place the marked ballot into a ballot secrecy envelope. Please place the sealed ballot secrecy envelope and this signature sheet into a return envelope. Please address the return envelope to the Early Voting Clerk for your county of residence and affix postage, if necessary.

TO: Early Voting Clerk of _____ County, Texas

FROM VOTER:

Last Name _____ First Name _____ Middle Name _____ Suffix, if any _____

Mailing Address _____ City _____ State _____ Postal Code/APO/FPO _____ Unit/Apt., if any _____

Email Address Used on FPCA Application _____ Telephone Number _____

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

<input type="checkbox"/> Texas Driver's License or Texas Personal Identification Card Number or Election Identification Certificate Number issued by the Texas Department of Public Safety (NOT your Voter Registration VUID#)	<input type="checkbox"/> If you do not have a Texas Driver's License or Texas Personal Identification Number or Election Identification Certificate Number, give the last 4 digits of your Social Security Number XXX-XX-____	<input type="checkbox"/> I have not been issued a Texas Driver's License or Texas Personal Identification Number or Election Identification Certificate Number or a Social Security Number
--	--	--

Instructions to Assistant (if applicable): A voter may only be assisted with reading or marking the ballot 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 every part of 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."

Assistant: YOU MUST INDICATE YES OR NO to the following statement: Did you receive compensation or other benefit from a candidate, campaign or political committee in exchange for providing assistance? Circle one: Yes No

X _____
Signature of Assistant Printed Name of Assistant Street Address, City, State, Zip Relationship to Voter

SIGN HERE: Please sign below to indicate that you understand this statement: "I have received my ballot via email and am returning my marked ballot by mail. I understand that by mailing my voted ballot with this signature sheet, I certify that the enclosed ballot expresses my wishes independent of any dictation or undue persuasion by any person."

X _____ Date: ____/____/____

Instructions to Witness: If you are serving as a witness for the voter, you must complete the section below if you witness the mark of the voter or if the voter cannot make a mark. If the voter cannot make a mark, check here _____

X _____
Signature of Witness Printed Name of Assistant Street Address, City, State, Zip Relationship to Voter

If you have any questions about how to use this form, please contact your County's Early Voting Clerk or the Office of the Secretary of State. We do not have a list of contact information for local elections; however, for a list of Early Voting Clerk's by County, see <https://www.sos.state.tx.us/elections/vote/county.shtml>
Contact Information for Texas Secretary of State:
Telephone: 1-800-252-8683 (VOTE)
Email: elections@sos.texas.gov

- ← Voter Information
- ← Personal Identification Information
- ← Witness/Assistant information, if applicable
- ← Voter Signature



NEW REQUIREMENTS FOR THE CARRIER ENVELOPE



Front of Carrier Envelope

WARNING: (1) Knowingly possessing another person's ballot or Carrier Envelope may be a crime unless you provide your signature, printed name and address (2) A person commits an offense if the person compensates another person or receives compensation for depositing a Carrier Envelope in the mail as part of a scheme in which the person is compensated based on the number of Carrier Envelopes deposited. For additional information on offenses related to Carrier Envelopes, please see the "Information About Returning Your Carrier Envelope," included with the materials sent to you with your ballot.

ADVERTENCIA: (1) El acto de poseer conscientemente la boleta o el sobre de envío de otra persona puede ser un delito a menos de que usted proporcione su firma, nombre en letra de molde, y su dirección. (2) Una persona comete un delito si recompensa o recibe compensación a cambio de depositar el sobre de envío en el correo como parte de un plan en el cual la persona es recompensada en base al número de sobres de envío depositados. Para obtener información adicional sobre los delitos relacionados con los sobres de envío, por favor vea la "Información Sobre La Devolución Del Sobre de Envío," incluido con los materiales enviados a usted con su boleta.

6-15
Prescribed by Secretary of State
Section 86.013, Texas Election Code
12/2021

Place Stamp Here


**OFFICIAL
ELECTION MAIL**
Authorized by the U.S. Postal Service

CARRIER ENVELOPE FOR EARLY VOTING BALLOT
(SOBRE DE ENVÍO PARA LA BOLETA DE VOTACIÓN ADELANTADA)

(Early Voting Clerk
should preprint return address or affix address label)



Envelope Closed – Outside Flap

<p>Instructions to the Voter:</p> <ul style="list-style-type: none"> This envelope must be sealed and signed by the voter before it leaves the voter's hands. Do not sign this envelope unless the ballot has been marked by you or at your direction. (Instrucciones al Votante: Este sobre debe ser sellado y firmado por el votante antes de que salga de sus manos. No firme este sobre a menos de que la boleta haya sido llenada por usted o bajo su dirección.) This Carrier Envelope may not be used to return more than one voter's ballot. (Este sobre de envío no debe ser utilizado para entregar la boleta de más de un solo votante.) For instructions on the methods and deadlines to deliver this Carrier Envelope, see the "Information About Returning Your Carrier Envelope," included with the materials sent to you with your ballot. (Para obtener instrucciones sobre los métodos y plazos para entregar este sobre de envío, vea la "Información Sobre La Devolución de su Sobre de Envío," incluido con los materiales enviados a usted con su boleta.) 	
<p>Instructions to Assistant (if applicable):</p> <ul style="list-style-type: none"> A voter may only be assisted with reading or marking the ballot 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. (Instrucciones al Asistente (si es aplicable): Un votante sólo puede recibir ayuda para leer o marcar la boleta si el votante tiene una discapacidad física la cual le impide escribir o ver, o si no tiene la habilidad de leer el idioma en el cual la boleta está escrita. Si usted asiste al votante, debe leer el juramento y completar la siguiente sección abajo, antes de asistir al votante.) <p>Instructions to Person Depositing Carrier Envelope in Mail or to Common or Contract Carrier:</p> <ul style="list-style-type: none"> If you are assisting a voter by depositing the Carrier Envelope in the mail or with a common or contract carrier, you must complete the assistant section below. (Instrucciones para la Persona Que Deposita el Sobre de Envío en el Correo o al Transportista Común o Contratado: Si asiste a un votante depositando el sobre de envío en el correo o con un transportista común o contratado, debe completar la sección de asistente que aparece a continuación.) <p>I certify that the enclosed ballot expresses my wishes independent of any dictation or undue persuasion by any person. (Certifico que la boleta adjunta expresa mis deseos independientemente de ningún dictado o persuasión indebida por parte de cualquier persona.)</p>	
<p>SEAL ENVELOPE AND SIGN OVER SEALED FLAP (SELLE EL SOBRE Y FIRME SOBRE LA SOLAPA SELLADA)</p> 	
<div style="border: 2px solid red; padding: 5px; display: inline-block;"> <p>X</p> <p>SIGNATURE OR MARK OF VOTER (FIRMA O MARCA DEL VOTANTE)</p> </div>	
<p>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 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. Juramento de la Persona Asistiendo al Votante: "Yo juro (o afirmo) bajo pena de perjurio que el votante al que estoy asistiendo me representó que es elegible para recibir asistencia; no sugeriré, con palabra, señal, o gesto, como debe votar el votante; prepararé la boleta del votante según lo indique el votante; no presioné ni coaccioné al votante para que me eligiera como asistente; no soy el empleador del votante, un agente del empleador del votante, o un oficial o agente de un sindicato al cual el votante pertenece; no comunicaré información sobre cómo el votante ha votado a otra persona; y entiendo que si se proporciona asistencia a un votante que no es elegible para recibir asistencia, la boleta del votante podría no ser contada."</p>	
<p>If you are an assistant, provide information below: (Si usted es un asistente proporcione la siguiente información):</p> <p>Did you receive compensation or other benefit from a candidate, campaign or political committee in exchange for providing assistance? Circle one: Yes No ¿Recibió compensación u otro beneficio de un candidato, campaña o comité político a cambio de brindar asistencia? Marque con un Círculo: Sí No</p> <p>Printed Name (Nombre en letra de molde) _____ Signature (Firma) _____</p> <p>Relationship to Voter (Relación al votante) _____ Street Address (Domicilio residencial) _____</p>	
<p>Completed by Early Voting Clerk (Completado por el Secretario de Votación Adelantada):</p> <p>Name of Election (Nombre de Elección): _____</p> <p>Name of Voter (Nombre del votante): _____</p> <p>Date of Election (Fecha de Elección): ____/____/____</p>	
<p>Instructions to Witness: You are serving as a witness for _____ (name of voter). You must complete the section below if you witness the mark of the voter, or if the voter cannot make a mark. If the voter cannot make a mark, check here <input type="checkbox"/>. (Instrucciones al Testigo: Usted está sirviendo como testigo para _____ (nombre del votante). Debe completar la sección a continuación si es testigo de la marca del votante, o si el votante no puede hacer una marca. Si el votante no puede hacer una marca, marque aquí <input type="checkbox"/>.</p> <p>Signature (Firma) _____ Printed Name (Nombre en letra de molde) _____</p> <p>Street Address (Domicilio residencial) _____</p>	



Envelope Open – Inside Flap

- Voter must add their personal identification information to the Carrier Envelope

REQUIRED INFORMATION: YOU MUST PROVIDE ONE OF THE FOLLOWING NUMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATION RECORD
INFORMACIÓN REQUERIDA: DEBE PROPORCIONAR UNO DE LOS SIGUIENTES NÚMEROS Y DEBE ESTAR ASOCIADO CON SU REGISTRO DE VOTANTE

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 Tarjeta de Identificación Personal de Texas 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 una Licencia de conducir de Texas o una Tarjeta de Identificación Personal de Texas o Certificado de Identificación Electoral de Texas, proporcione los 4 últimos dígitos de su número de Seguro Social)	<input type="checkbox"/> 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 se me ha expedido una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o un Certificado de Identificación Electoral de Texas ni un número de Seguro Social.)
--	--	---

XXX-XX-XXXX

CONTACT INFORMATION (INFORMACIÓN DE CONTACTO): Phone (Teléfono): _____ Email (Correo Electrónico): _____

SEAL ENVELOPE AND SIGN OVER SEALED FLAP (SELLE EL SOBRE Y FIRME SOBRE LA SOLAPA SELLADA) →

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 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. **Juramento de la Persona Asistiendo al Votante:** "Yo juro (o afirmo) bajo pena de perjurio que el votante al que estoy asistiendo me representó que es elegible para recibir asistencia; no sugeriré, con palabra, señal, o gesto, como debe votar el votante; prepararé la boleta del votante según lo indique el votante; no presioné ni coaccioné al votante para que me eligiera como asistente; no soy el empleador del votante, un agente del empleador del votante, o un oficial o agente de un sindicato al cual el votante pertenece; no comunicaré información sobre cómo el votante ha votado a otra persona; y entiendo que si se proporciona asistencia a un votante que no es elegible para recibir asistencia, la boleta del votante podría no ser contada."

If you are an assistant, provide information below: (Si usted es un asistente o testigo, marque la casilla correcta y proporcione su información):

Did you receive compensation or other benefit from a candidate, campaign or political committee in exchange for providing assistance? Circle one: Yes No
¿Recibí compensación u otro beneficio de un candidato, campaña o comité político a cambio de brindar asistencia? Marque con un Círculo: Sí No

Printed Name (Nombre en letra de molde) _____ Signature (Firma) _____
 Relationship to Voter (Relación al votante) _____ Street Address (Domicilio residencial) _____

Signature or Mark of Voter (Firma o Marca del Votante)
 X _____
SIGNATURE OR MARK OF VOTER (FIRMA O MARCA DEL VOTANTE)

Completed by Early Voting Clerk (Completado por el Secretario de votación adelantada):

Name of Election (Nombre de Elección): _____
Name of Voter (Nombre del votante): _____
Date of Election (Fecha de Elección): ____/____/____

Instructions to Witness: You are serving as a witness for _____ (name of voter). You must complete the section below if you witness the mark of the voter, or if the voter cannot make a mark. If the voter cannot make a mark, check here .
(Instrucciones al Testigo: Usted está sirviendo como testigo para _____ (nombre del votante). Debe completar la sección a continuación si es testigo de la marca del votante, o si el votante no puede hacer una marca. Si el votante no puede hacer una marca, marque aquí .

Signature (Firma) _____ Printed Name (Nombre en letra de molde) _____
 Street Address (Domicilio residencial) _____

Print Reset



Key Points to Remember

- Voters are not required to provide both types of identification numbers.
- If a voter provides both numbers, only one number has to match the VR record.
- The secrecy flap may be opened by the early voting clerk's staff for processing.
- Be mindful with these carrier envelopes, as they have personally identifiable information that needs to be guarded.
- Carrier envelopes are not public information at this point in the election process.



NEW PROCESS FOR EVBB/SVC



New Comparison Requirements

- The EVBB shall only accept a ballot if the personal identification information (ex: SSN or TXDL) matches the voter registration record.
- The SVC/EVBB is matching the information on the carrier envelope to the **VR record**.
- The number on the carrier envelope does not have to be the same number on the ABBM – it must only match the VR record.



Rebuttable Presumption

- If the personal identification information provided matches the VR record, the signatures on the ABBM and the carrier envelope are rebuttably presumed to be those of the voter.
- The presumption may be rebutted by presenting other past signatures on file with the EVC or VR that would support a finding that the signatures on the carrier envelope and ABBM are not those of the voter.



NOTIFYING VOTERS OF DEFECTS



Signature Verification Committee Corrective Action Process

- The following defects are eligible for correction when identified by the signature verification committee (Sec. 87.0271(a)):
 - The voter did not sign the carrier envelope certificate.
 - The SVC cannot determine whether the signature on the carrier envelope is that of the voter.
 - The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
 - If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.
 - **NOTE:** Incomplete information about an assistant cannot be corrected and will result in a rejected mail ballot, but the voter may still vote in person if otherwise eligible.



Early Voting Ballot Board Correction Process

- The following defects are eligible for correction when identified by the early voting ballot board (Sec. 87.0411(a)):
 - The voter did not sign the carrier envelope certificate.
 - The EVBB cannot determine whether the signature on the carrier envelope is that of the voter.
 - **The voter did not include the required statement of residence.**
 - The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
 - If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.
 - **NOTE:** Incomplete information about an assistant cannot be corrected by EVBB/SVC and will result in a rejected mail ballot, but the voter may still vote in person if otherwise eligible.
- Only the EVBB has the authority to open the sealed part of carrier envelope to determine if a statement of residence (SOR) has been submitted.
 - The only exception is for FPCA voters. An SVC must open the sealed envelope to obtain the Signature Sheet for FPCA Voter, as this is necessary for the signature verification process.



Corrective Action Timelines

- **Returning the Carrier Envelope by Mail:** If the SVC or EVBB determines that it would be possible for the voter to correct the defect and return the carrier envelope **before the time the polls are required to close on election day**, the SVC or EVBB **must** mail the original defective carrier envelope to the voter. This determination must be made not later than the second business day after the SVC or EVBB discovers a defect, and before the SVC or EVBB decides whether to accept or reject a timely delivered mail ballot. (Secs. 87.0271(b), 87.0411(b)).
- **Notifying the Voter of Defect by Phone or Email:** If the SVC or EVBB determines that it would NOT be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, **the SVC or EVBB may notify the voter of the defect by telephone or email** and inform the voter that the voter may come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. (Secs. 87.0271(c), 87.0411(c)).



If the SVC or EVBB takes one of the actions described above, the committee or board must take that action with respect to each ballot in the election to which these options apply.

(Secs. 87.0271(d), 87.0411(d)).



Recommendations

- The SOS recommends that before qualifying mail ballots, the EVBB/SVC meet with the early voting clerk to determine dates to convene and to establish timelines for the corrective action process. (Secs. 87.0411, 87.0271).



Carrier Envelope Returned by Mail

1. Stamp or mark the voter's carrier envelope with the words "**Corrective Action Required.**"
2. Note the appropriate defect on the Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail.
3. Mail the voter's defective carrier envelope along with the Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail. The early voting clerk should include an envelope for the voter to return the corrected carrier envelope to the early voting clerk. This envelope should contain the Official Election Mail logo prescribed by the USPS. The voter must be notified if the return envelope needs additional postage.
4. Enter the voter's information on the Roster of Voters with Defective Carrier Envelopes – Returned to the Voter by Mail.

***The actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB**



Notifying Voter by Phone or Email (Carrier Envelope is NOT mailed to Voter)

- **If notifying by email:**

1. Send the voter the Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email via email.
2. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email, and the action taken by the voter should be noted on the roster.
3. **Parameters for Email Notification:** The SOS recommends that the early voting clerk set up an email address for corrective action notifications. The early voting clerk and the SVC or EVBB should establish rules and procedures for utilizing this email address. Any emails sent or received through the corrective action process are considered election records under the Election Code, are subject to the Public Information Act, and should be retained by the general custodian of election records. The general custodian should consult with their attorney regarding any requests for such emails, as certain information may be exempt from disclosure under the Public Information Act.

***The actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB**



Notifying Voter by Phone or Email (Carrier Envelope is NOT mailed to Voter)

- **If notifying by phone:**

1. Contact the voter using any known phone number on file with the early voting clerk or in the possession of the SVC or EVBB.
 - **NOTE:** As a reminder, the voter registrar may not transcribe, copy or otherwise record a telephone number furnished on a voter registration application. (Sec. 13.004). The SVC or EVBB may be able to review a voter registration application at the voter registrar's office to obtain a phone number. The registrar may also read a phone number from a voter registration application to a member of the SVC or EVBB, if necessary.
2. The SVC or EVBB should create a phone script that explains to the voter that the voter's mail ballot was received by the early voting clerk's office and has been reviewed by the SVC or EVBB, whichever is applicable.
3. **The SOS recommends that the SVC or EVBB confirm the voter's identity using publicly available information.**
 - **Example:** Ask the voter to confirm their voter registration address and whether they requested a mail ballot for the given election.
4. The voter should be told that upon review of the carrier envelope, the SVC or EVBB discovered a defect in the carrier envelope. **The specific defect should be explained.**
5. The SVC or EVBB should explain the process for the voter to correct the defect as well as the process to cancel their mail ballot and vote in person during early voting or on election day.
6. Provide a return phone number that the voter may use to confirm that they were contacted by the SVC or EVBB. The number provided should be the number of the early voting clerk's office so the voter can verify this information and obtain details about the corrective action process during times that the SVC or EVBB are not meeting.
7. The voter's name should be entered on the Roster and the action taken by the SVC or EVBB should be noted on the roster.

***Many of the actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB**



If the SVC or EVBB is unable to contact the voter...

1. The SVC or EVBB should leave a detailed message explaining that the SVC or EVBB determined there was a defect in the voter's carrier envelope and explain the process for correcting the defect.
 2. The SVC or EVBB should NOT provide any details related to a voter's personally identifiable information on a voicemail or with a person who is not the voter.
 3. The SVC or EVBB should leave a return number that the voter may use to validate the information provided by phone.
 4. The SVC or EVBB should mail the voter a Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.
 5. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email, and the action taken by the SVC or EVBB should be noted on the roster.
- **If the SVC or EVBB does not have a phone number or email to notify the voter:** The SVC or EVBB should mail a Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.

***Many of the actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB**



Key Points to Remember

- Any actions taken by the SVC or EVBB shall be uniformly applied to every ballot in the election to which this procedure applies. (Secs. 87.0271(d), 87.0411(d)).
- A poll watcher is entitled to observe any action taken by the SVC or EVBB related to the corrective action process. (Secs. 87.0271(e), 87.0411(e)).
- Poll watchers may not transcribe or make notes of any voter's personally identifiable information while observing the activities of the SVC or EVBB.



CORRECTING DEFECTS



How do Voters Correct Defects?

- **If the carrier envelope was mailed back to the voter, the voter MUST return the carrier envelope with the revisions/corrections.**
 - **Deadline for Correction:** If the SVC or EVBB has returned the voter's carrier envelope by mail for correction, the voter also MUST return the carrier envelope to the early voting clerk no later than 7:00 p.m. on election day for the ballot to be processed and counted. (Secs. 87.0271(b), 87.0411(b)).
- **If the carrier envelope was NOT mailed back to the voter, the voter may correct the defects in the following ways:**
 - Utilizing the BBM Tracker for defects related to a missing or incorrect personal identification numbers.
 - Appearing in person at the EV clerk's office and submitting a Corrective Action Form.
 - Cancelling their mail ballot and voting in person.
 - **Deadline for Correction:** This corrective action process must occur no later than the 6th day after election day. The EVBB cannot finally reject a ballot before the 7th day after election day. (Secs. 87.0271(g), 87.0411(g)).

Corrective actions taken by the voter MUST be provided to the EVBB for their final review of the ballot before determining acceptance or rejection.



Correcting Defect by Cancellation

- After receiving a Notice of Carrier Defect by mail or receiving notification via email or phone, the voter may opt to cancel their ballot by mail and vote a regular ballot in person. All cancellations must be completed in accordance with Section 84.032. If the voter is an Annual ABBM voter, a cancellation request submitted for these purposes applies only to the current election unless the voter specifically requests to cancel their Annual ABBM. (Sec. 84.038).
- There is no process under Texas law by which a voter can cancel a mail ballot application by phone. **All cancellations must be in writing and completed in accordance with Section 84.032 of the Texas Election Code.**
- See pages 13-14 of Advisory 2022-08 for more details.



EARLY VOTING CLERK PROVIDING NOTIFICATION OF DEFECTS



Early Voting Clerk Notification of Defects

- Under Section 86.011(d) of the Code, if an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, **the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their ABBM and vote in person.**
 - **Early voting clerks may return carrier to voter for correction.**
 - **Early voting clerks may notify voter of defect by phone and inform the voter they can come to the EVC's office to correct defect or cancel their application.**



Early Voting Clerk

Notification of Defects

- What defects can an early voting clerk provide notice about?
 - Missing signature
 - Missing or incomplete witness information
 - Missing **assistant** information
 - If the early voting clerk is removing the secrecy flap before the ballot is sent to the SVC/EVBB:
 - Missing personal identification information
 - Incorrect personal identification information



Early Voting Clerk Notification of Defects

- If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), **the clerk must apply these procedures uniformly to all voters in similar circumstances.**
- **Poll watchers may be present for this process. (Sec. 86.011(d)).**



Questions?

elections@sos.texas.gov

