


TEXAS SECRETARY OF STATE

Training for EVBB/SVC Members on New Ballot by Mail Procedures (Primary Focused)

Texas Secretary of State – Elections Division

2/8/2022 Texas Secretary of State Elections Division 1




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TOPICS COVERED

- Changes to ABBMs
- Changes to FPCA Process
- New Requirements for the Carrier Envelope
- New Process for EVBB/SVC
- Possible Scenarios Regarding Carrier Envelopes
- Notifying Voters of Defects
- Correcting Defects
- Impacts on FPCA Voters
- New Forms
- Early Voting Clerk Providing Notification of Defects


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CHANGES TO ABBMs

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CHANGES TO THE ABBM

1. Voter Information: Please print all information clearly and legibly

Name: _____
Last First Middle Suffix (jr, Sr)

Residence Address as shown on your Voter Registration Certificate

Address: _____
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. #: _____

YOU MUST PROVIDE ONE of the following numbers

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#)


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

I have not been issued a Texas Driver's License/Texas Personal Identification Number/Texas Election Identification Certificate or Social Security Number

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.**

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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.
- Do not delay in mailing rejection notices.
- Voters are not required to use the Ballot by Mail Tracker to correct missing information. They can submit a new ABBM or a new VR application, whichever is applicable.
- County early voting clerks are **REQUIRED** to submit rejected ABBM information to TEAM (or through their vendor, if it provides data to TEAM). This is what populates the Ballot by Mail Tracker.


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CHANGES TO FPCA PROCESS

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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 service envelope. Please place the marked ballot service 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.

Texas Driver's License or Texas Personal Identification Card Number or Texas Identification Card Number issued by the Texas Department of Public Safety (last 4 digits of your Social Security Number) XXX-XX-XXXX	If you do not have a Texas Driver's License or Texas Personal Identification Card Number, give the last 4 digits of your Social Security Number XXX-XX-XXXX	If you have not been issued a Texas Driver's License or Texas Personal Identification Card Number, give the last 4 digits of your Social Security Number XXX-XX-XXXX
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Instructions to Assistant or Juror: 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 ballot and complete every part of the ballot before marking the ballot.

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 assistance or undue persuasion by any person."


_____ Date: _____

Substituted Signature: If you are writing as a witness for the voter, you must complete the section below if you address the mark of the voter or if the voter cannot make a mark. If the voter cannot make a mark, check here: _____

Signature of Witness: _____ Street Address, City, State, Zip: _____ Substituting to Read: _____

If you have any questions about how to use this form, please contact your County 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 by county, see <https://www.sos.texas.gov/elections/voter/voting-clerk-by-county>

Contact Information for Texas Secretary of State:
 Telephone: 1-800-252-8888 (TDD)
 Email: election@sos.texas.gov



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FPCA Signature Sheet

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

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Impacts on FPCA Voters

- To facilitate the mailing of FPCA balloting materials, early voting clerks may use any type of mailing envelope that contains the Official Election Mail logo and the required postage-paid information as long as the early voting clerk includes a required signature sheet for the voter to complete.
- All FPCA voters must be provided with an Official Election Signature Sheet for an FPCA Voter if their balloting materials were sent by email.
- If the balloting materials were sent by physical mail, but the early voting clerk is using one of the FVAP envelopes that does not contain all of the requirements for the carrier envelope, the voter **MUST** be provided with an Official Election Signature Sheet for an FPCA Voter to return with their marked ballot.
- **What this means for SVC/EVBB review?** There may be an increased number of signature sheets for FPCA voters.



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NEW REQUIREMENTS FOR THE CARRIER ENVELOPE

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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 commits 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



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)

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Envelope Closed – Outside Flap

Instructions to the Voter:

- 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 marcada 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.)

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 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.)

Instructions to Person Depositing Carrier Envelope in Mail or to Common or Contract Carrier:

- 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.)

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.)

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

COPIES OF PERSON ASSISTING VOTER: These (or affirm) under penalty of perjury that the voter is an assisting representative to me they are eligible to receive assistance: the voter, sign, or gesture. Have the voter sign and complete the section below, before assisting the voter. (COPIAS DE PERSONAS ASISTENTES AL VOTANTE: Yo (o afirmo) bajo juramento que el votante es un asistente que me representa y que es elegible para recibir asistencia, no su padre, con palabras, señas, o gestos, como representante del votante. Firmar en asistencia con la boleta al votante, diciendo al votante a que la boleta, marcando la boleta del votante o dándole al votante a que marque la boleta, preparar la boleta del votante según lo indique el votante, no personal ni contractual al votante para que me entregue como asistente, no contractual información sobre cómo el votante ha votado a otra persona, y violando que a un asistente asistiendo a un votante que no es elegible para recibir asistencia, la boleta del votante podría no ser contada.)

Signature (Firma)

Completed by Early Voting Clerk (Completado por el Secretario de Votación Asistida)

Name of Election (Nombre de Elección): _____

Date of Election (Fecha de Elección): ____/____/____

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

Instructions al Testigo: Usted está sirviendo como testigo para el 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: _____

Printed Name (Nombre en letra de molde) _____ **Signature (Firma)** _____ **Printed Name (Nombre en letra de molde)** _____

Relationship to Voter (Relación al votante) _____ **Street Address (Dirección residencial)** _____ **Street Address (Dirección residencial)** _____

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Envelope Open – Inside Flap

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

INFORMACIÓN REQUERIDA: USTED DEBE PROPORCIONAR UNO DE LOS SIGUIENTES NÚMEROS O SU CÓDIGO 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 Transportation (Número de licencia de conducir o tarjeta de identificación personal de Texas o Certificado de Identificación Electoral expedido por el Departamento de Seguridad Pública de Texas) (NO ES el número de su Registro Electoral (Voto))

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 (o no tiene una Licencia de Conducir de Texas o una Tarjeta de Identificación Personal de Texas o Certificado de Identificación Electoral de Texas, proporcionar los 4 dígitos finales de su número de Seguro Social)

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)

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)

COPIES OF PERSON ASSISTING VOTER: These (or affirm) under penalty of perjury that the voter is an assisting representative to me they are eligible to receive assistance: the voter, sign, or gesture. Have the voter sign and complete the section below, before assisting the voter. (COPIAS DE PERSONAS ASISTENTES AL VOTANTE: Yo (o afirmo) bajo juramento que el votante es un asistente que me representa y que es elegible para recibir asistencia, no su padre, con palabras, señas, o gestos, como representante del votante. Firmar en asistencia con la boleta al votante, diciendo al votante a que la boleta, marcando la boleta del votante o dándole al votante a que marque la boleta, preparar la boleta del votante según lo indique el votante, no personal ni contractual al votante para que me entregue como asistente, no contractual información sobre cómo el votante ha votado a otra persona, y violando que a un asistente asistiendo a un votante que no es elegible para recibir asistencia, la boleta del votante podría no ser contada.)

Signature (Firma)

Completed by Early Voting Clerk (Completado por el Secretario de Votación Asistida)

Name of Election (Nombre de Elección): _____

Date of Election (Fecha de Elección): ____/____/____

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

Instructions al Testigo: Usted está sirviendo como testigo para el 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: _____

Printed Name (Nombre en letra de molde) _____ **Signature (Firma)** _____ **Printed Name (Nombre en letra de molde)** _____

Relationship to Voter (Relación al votante) _____ **Street Address (Dirección residencial)** _____ **Street Address (Dirección residencial)** _____

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

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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.


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NEW PROCESS FOR EVBB/SVC

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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.



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POSSIBLE SCENARIOS REGARDING CARRIER ENVELOPES

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Possible Scenarios – Carrier Envelopes

- **Scenario 1:** Voter provides a personal identification number on the carrier envelope that matches the number in the voter’s voter registration record. The SVC or EVBB has completed the verification of personal identification information and should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.


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Possible Scenarios – Carrier Envelopes

- Scenario 2:** Voter provides a personal identification number on the carrier envelope that matches the number in the voter’s voter registration record, but it is a different type of number than what the voter listed on the ABBM. (Example: Voter provided last four digits of social security number on ABBM and a driver’s license number on carrier envelope.) Because the voter’s voter registration record contains both personal identification numbers, the SVC or EVBB is able to verify the voter’s identity. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, **the ballot would be accepted.**

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Possible Scenarios – Carrier Envelopes

- Scenario 3:** Voter provides the last four digits of their social security number on the carrier envelope. The voter registration record contains a driver’s license number and social security number. The SVC or EVBB is able to validate that the partial social security number on the carrier envelope matches the number in the voter’s voter registration record. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, **the ballot would be accepted.**
 - NOTE:** The obligation of the SVC or EVBB in reviewing the identification information on a carrier envelope is to determine if the information provided by the voter on the envelope identifies the same voter identified on the voter’s voter registration record. (Secs. 87.027, 87.0271, 87.041(b)(8), 87.0411).

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Possible Scenarios – Carrier Envelopes

- **Scenario 4:** Voter indicates on the carrier envelope that they have not been issued any of the required personal identification numbers, and the voter’s voter registration record does not contain any of these numbers. The SVC or EVBB has completed the verification of personal identification information, and it must rely on the signature comparison process for this part of the review. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, **the ballot would be accepted.**

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Possible Scenarios – Carrier Envelopes

- **Scenario 5:** Voter provided one of the required personal identification numbers on the ABBM that matched the voter’s voter registration record, but the voter does not include an identification number on the carrier envelope. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope, as described in more detail below. If the voter timely corrects the defect, and there are no other grounds for rejection, **the ballot would be accepted.**


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Possible Scenarios – Carrier Envelopes

- **Scenario 6:** Voter provided one of the required personal identification numbers on the ABBM that matched the voter’s voter registration record, but the voter indicates on the carrier envelope that they have not been issued one of the applicable identification numbers. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope. If the voter timely corrects the defect, and there are no other grounds for rejection, **the ballot would be accepted.**

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NOTIFYING VOTERS OF DEFECTS

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Meeting Requirements

	First Day Mail Ballots can be Reviewed	Texas Election Code Section
Signature Verification Committee (All counties and local political subdivisions)	20th day before election day	Sec. 87.027(f)
Early Voting Ballot Board (Counties with a population of 100,000 or more)	12th day before election day	Sec. 87.0222(a)
Early Voting Ballot Board (Counties with a population under 100,000)	4th day before election day	Sec. 87.022

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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.


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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.

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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)).


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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)).

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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).


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Establishing Timelines and Guidelines for the Corrective Action Process

- The SVC or EVBB must set a uniform policy for when carrier envelopes will be mailed to the voter versus when voters will be notified of the defect by phone or email.
- The SVC or EVBB should determine whether it will notify voters of a defect by both phone and email, if both are available.
- The SVC or EVBB should establish a policy for making multiple attempts to reach a voter if it is unsuccessful in reaching a voter by phone or email on the first attempt.
- Consider U.S. Postal Service (USPS) guidelines. Ask your EVB to consult with your local post office.
- **SOS Recommendation:** The SVC or EVBB should consider implementing a policy to provide notification of a defect by phone or email to all voters whose ballots are reviewed by the SVC or EVBB on or after the 14th day before election day (approximately 10 business days). This may be modified based on discussions with your local USPS representatives.

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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**

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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**

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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**

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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**

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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.

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CORRECTING DEFECTS




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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.




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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.


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IMPACTS ON FPCA VOTERS

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Impacts on FPCA Voters

- If the FPCA voter provides missing or incorrect identification information on their carrier envelope or signature sheet, or did not include the Official Election Signature Sheet for an FPCA Voter, the voter must be notified of the defect in the same manner as a regular ABBM voter.
- **Because the signature sheet is separate from the voted ballot and is authorized under state and federal law, FPCA voters who have a defect in their signature sheet have additional methods for returning this corrected or missing required documentation.**
- Specifically, an FPCA voter may submit a corrected signature sheet by email, fax, personal delivery, or mail. The SVC or EVBB should make an appropriate notation on their roster to indicate how FPCA voters were notified of a defect and how the FPCA voter provided the corrected signature sheet to the SVC or EVBB. (Secs. 1.007, 31.003, 31.004, 87.0271(f), 87.0411(f), 101.007, 101.109).


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NEW FORMS


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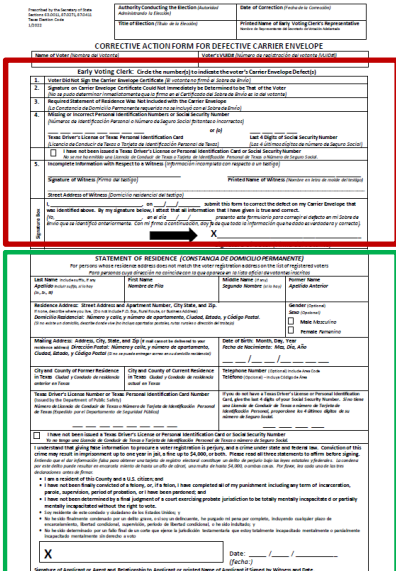
Notice of Carrier Defect

- We have prescribed two versions of this form:
 - The Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail
 - The Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email
- The Notice of Carrier Defect contains the Corrective Action Form for Defective Carrier Envelope on the reverse side of the form.




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Corrective Action Form for Defective Carrier Envelope (6-14)

- Top half of form contains the Corrective Action Form
- Bottom half of form is the Statement of Residence




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Roster of Voters with Defective Carrier Envelopes (Forms 8-20, 8-21, 8-22)


- EVBB/SVC should create a roster to track the corrective action process.
- SOS has prescribed three different sample forms for use by EVBB/SVC.
- EVBB/SVC can also track the information electronically or create their own roster.

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Notice of Surrendered Ballot (6-13)

- Upon surrendering their mail ballot, the voter will be issued the **Notice of Surrendered Ballot by Mail**. The voter will take this form to their early voting or election day polling place and present the form to the election judge, entitling the voter to vote a regular ballot in person.

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EARLY VOTING CLERK PROVIDING NOTIFICATION OF DEFECTS

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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.

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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

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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)).

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Questions?

elections@sos.texas.gov

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