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.
Where can I find webinar recordings and presentations?

• On the SOS’s Training and Educational Resources page
Questions?

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