

# PROVIDING ASSISTANCE IN THE VOTING-BY-MAIL PROCESS

(Prepared by the Tarrant County Elections Department - Revised August 6, 2013)

## ASSISTING DURING THE APPLICATION PROCESS:

- A person commits an offense if, in the same election, the person signs an early voting ballot application as a witness for more than one applicant (Election Code Section 84.004(a)) – unless the witness is related within the second degree by blood or marriage to each voter . A witness is a person who signs the application for a person who cannot do so because of a physical disability or illiteracy (Election Code Section 1.011).
- A person who in the presence of the applicant otherwise assists the applicant in completing an early voting ballot application (i.e. helps the applicant complete the form, but the voter is able to sign his or her own name) must complete and sign the assistant portion of the application unless the assistant is related to the applicant or is registered at the same address as the applicant. There is no limit to the number of applicants that a person may assist.
- An assistant may possess the completed application from one or more voters for the purpose of mailing the applications to the Elections Department. The assistant must complete and sign the assistant portion of the application unless the assistant is related to the applicant or is registered at the same address as the applicant.
- Applications for a ballot by mail must be submitted to the Elections Department by mail; common or contract carrier; or fax machine (Election Code Section 84.007). Only the voter may deliver his or her own application in person to the Elections Department and only if submitted prior to the first day of in-person early voting (Election Code Section 84.008). There is no prohibition on mailing multiple applications in a single envelope.

## ASSISTING A VOTER WITH READING OR MARKING THE BALLOT:

- A voter may receive assistance with marking and/or reading the ballot if the voter has a physical disability or an inability to read that prevents the voter from voting his or her own ballot. An assistant must sign the written oath that is part of the certificate on the official carrier envelope and must include the assistant's printed name and residence address. There is no limit to the number of voters that a person may assist, however it is a criminal offense for a person to be compensated for assisting a voter in marking a ballot if the compensation is in any way based upon the number of voters assisted (Election Code Section 86.0105).
- On the voter's request, the voter may be assisted by any person selected by the voter other than 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. (Election Code Section 86.010, 64.032(c)).

## POSSESSION OF ANOTHER VOTER'S CARRIER ENVELOPE (VOTED BALLOT):

- A person may possess someone else's carrier envelope (containing a voted ballot) only if the person
  - is related to the voter, OR
  - is registered to vote at the same address as the voter, OR
  - has possession of the carrier envelope in order to deposit it in the mail or with a common/contract carrier and who has provided his signature, printed name, and residence address on the carrier envelope as required by Election Code Section 86.0051 (Election Code Section 86.006(f)).
- It is a criminal offense for a person to be compensated for collecting and depositing carrier envelopes (containing voted ballots) into the mail or with a common/contract carrier if the compensation is in any way based on the number of ballots deposited (Election Code Section 86.0052).
- Carrier envelopes containing ballots may not be collected and stored at another location prior to placement in the mail or with a common/contract carrier. (Election Code Section 86.006(e)).
- A carrier envelope may not be returned in an envelope or package containing another carrier envelope unless the persons are registered to vote at the same address (Election Code Section 86.006(b)).