

REGISTERING TO VOTE AND VOTING IN TEXAS
BASIC INFORMATION

The information below reflects changes made by Texas Legislature in 2011. However, before going into effect, Texas is required to obtain preclearance for these changes from either the US Department of Justice (DOJ) or the courts. Texas applied for preclearance to DOJ in late July, and DOJ asked for additional information on Sept. 23. Once Texas provides the requested information, DOJ has 60 days to review the information and make a decision. Given the time for a Texas response and DOJ review, the preclearance decision may not be known until December.

Details for implementing some changes have been delegated to the Secretary of State or the Department of Public Safety. The information contained here will be updated as needed to reflect decisions on preclearance and implementation.

Information below is divided into four sections. The sections and key points include:

- I. Registering to Vote in Texas
The voter registration deadline is 30 days prior to each election

- II. Voting in Texas
One of a limited number of photo IDs will be required to vote as of 2012
Obtaining one of the qualified photo IDs may take several weeks and require documentation such as a birth certificate.
Many IDs even with a photo will not be accepted in 2012 (e.g., student IDs).
The name on the photo ID should match or be “substantially similar” to the name on the voter registration list.

- III. Helping Register Others to Vote
Provide others with information or a mail-in application or become a volunteer deputy registrar

- IV. Upcoming Elections with Registration Deadlines and Early Voting Dates
Upcoming elections are Nov. 8, 2011, (Constitutional Amendments), March 6, 2012 (Primary Elections), May 12, 2012, (local elections), and Nov.6, 2012 (General Election)

I. Registering to Vote in Texas

The Secretary of State’s VoTexas website contains information for voters: <http://www.votexas.org/>
Links to specific information are included below.

To vote in an election you must register to vote at least 30 days in advance. You can register in person at the voter registration office in your county, or fill out an application that can be mailed or returned in person to the voter registrar in your county of residence. Applications can be found at post offices, libraries, or government offices. The application is available online at:
<https://webservices.sos.state.tx.us/vrapp/index.asp>

A list of county voter registration offices can be found at:
<http://www.sos.state.tx.us/elections/voter/votregduties.shtml>

To be eligible to register to vote in Texas, you must:

- be a U.S. citizen;
- be a resident of the county;
- be 18 years old (you may register at 17 years and 10 months);
- not be a convicted felon (unless a person's sentence is completed, including any probation or parole)
- not be declared mentally incapacitated by a court of law

The voter registration form asks for either the number from your Texas driver's license or from a Texas DPS-issued personal ID. If you do not have either, you can provide the last four digits of your social security number. If you have not received any of these, you are still eligible to register to vote, but you will be required to provide proof of your identity at the polling place. The proof of identity that will be accepted in 2011 can be found at: http://www.votexas.org/need_id.html.

However, starting in 2012, only a limited number of government-issued photo IDs will be accepted (see below or <http://www.sos.state.tx.us/elections/laws/advisory2011-10.shtml>). As of 2012, the photo and name on the photo ID will be used to verify that the person seeking to vote is the individual who is registered to vote. The name on the photo ID should be the name used in registering to vote. Someone already registered to vote can change the name under which they are registered to vote at: <https://txapps.texas.gov/tolapp/sos/SOSACManager>. At the polls, if the name on the list of registered voters is similar to that on the photo ID but not exactly the same, the voter may be allowed to vote a regular ballot by signing an affidavit.

Within a month of submitting a voter registration application, a voter registration certificate will be mailed to the voter. This certificate includes important information: the precinct for voting on election day plus the relevant congressional, legislative, county and city districts for the address at which the voter is registered. It is helpful to bring the voter registration certificate when going to vote, although one of the qualifying government-issued photo IDs will also be needed beginning in 2012.

Your registration remains in effect as long as you continue to reside at the address at which you registered to vote. If you move within the county where you registered to vote, you should notify the county voter registration office, complete a new application with the change, or change your address online at: <https://txapps.texas.gov/tolapp/sos/SOSACManager>

If you move to a new county in Texas, you must reregister in your new county.

You can check to see if you are registered to vote at:
<https://team1.sos.state.tx.us/voterws/viw/faces/Introduction.jsp>

Students and Voter Registration

Voters should register at their permanent address. A student who is away from home attending school may register either at his/her home address (e.g., parents' address) or at the school address but cannot be registered at both places. Wherever a student claims residency is where he/she should be registered to vote. Information for students is on the VoTexas.org website at: <http://www.votexas.org/students.html>

Students who consider themselves permanent residents of another state should consult with officials there for registration and ballot-by-mail procedures. Information on voting in other states is available at www.Vote411.org or from the Secretary of State for the specific state.

Students from out of state may be concerned about how registering to vote in Texas may affect financial aid. Unless financial aid is contingent on residence, declaring residence in Texas by registering to vote in Texas should not impact financial aid. The Ohio State University law school website contains good material on the issue of student residence, voter registration, and financial aid, http://moritzlaw.osu.edu/electionlaw/ebook/part1/eligibility_rules06.html

II. Voting in Texas

Texas voters can cast a ballot in person during the early voting period or on election day. Early voting extends from the 15th day prior to the election date to the 4th day prior to the election (the early voting period for runoff elections is shorter). During early voting, the voter can go to any polling place in the county.

On election day, the voter generally can vote only at the precinct for their registration address; that precinct is indicated on the voter registration certificate or can be obtained by calling the county elections office. The Texas Secretary of State can allow a limited number of counties to have countywide voting trials on election day; in these counties a voter can cast a ballot at any of the countywide polling locations on election day.

As of 2012, a registered voter must provide one of a limited set of government-issued photo IDs to be accepted to vote a regular ballot. The photo IDs that will be accepted must be current or have expired no more than 60 days before and include:

- A Texas Department of Public Safety issued driver's license, personal identification card, concealed handgun license, or election identification certificate (newly established for 2012), and
- US government issued passport, military ID, or citizenship papers that include a photo.

Many forms of identification previously accepted will not be accepted in 2012, including student IDs.

Effective January 1, 2012, registered voters or those eligible to register who do not have a required form of photo identification may apply for the election identification certificate. There is no fee for the certificate and application requirements have not been made public as of August 1, 2011.

The photo ID requirement is to verify that the individual asking to vote is the individual who is registered to vote. The photo should be that of the individual seeking to vote, and the name on the ID should match or be substantially similar to the name of the voter on the poll list. If the names are not identical but similar enough that a reasonable individual would conclude it is the same person, the voter should be accepted. Proposed standards for substantially similar names are that the ID name be only slightly different, a customary variation of a formal name, include a middle or former name and information on the presented ID matches at least one element in the voter's information (e.g., address or date of birth). There is no requirement that the address on the photo ID match the voter registration address.

It is important to note that in Texas you can register to vote as late as 30 days prior to an election. However, obtaining the photo ID required to vote as of 2012 may take considerably longer. Until early August 2011, the Texas Department of Public Safety website indicated it would take 6-8 weeks to obtain a driver's license due to the large number of applications. By the end of August 2011, the DPS website it would only take 2-3 weeks for a driver's license. Regular processing for a US passport takes 4-6 weeks or 2-3 weeks for expedited service. Documentation like a birth certificate is needed for a citizen to apply for either a Texas driver's license or a US passport.

Those with appropriate evidence of disability who lack one of the qualified photo IDs will be able to obtain a voter registration certificate exempting them from providing photo ID. Others who do not provide acceptable photo ID at the polls will be allowed to vote a provisional ballot and present acceptable ID within 6 days. If ID is unavailable due to a religious objection to being photographed or recent natural disaster declared by the president or governor, the provisional voter should sign an affidavit within 6 days. Ballot by mail was not included in the photo ID bill, so photo ID will not be required with a ballot by mail. For additional information on the photo ID requirement, see: <http://www.sos.state.tx.us/elections/laws/advisory2011-10.shtml>

Registered Texas voters away from the county in which they are registered during early voting and on election day (as students maybe if they register at a home address), age 65 or disabled, or incarcerated but still eligible to vote may apply for a ballot-by-mail. The application for a ballot-by-mail can be obtained from the county elections office or downloaded from: <http://www.sos.state.tx.us/elections/forms/pol-sub/5-15f.pdf> A photo ID will not be needed to vote by mail in 2012 although a photo ID will be required to vote in person.

The application must be received by the early voting clerk in the county in which the voter is registered between the 60th day prior to the election and the 7th day prior to the election, and a ballot-by-mail will be sent to the voter. The completed ballot must be received by the elections office in the county in which the voter is registered by 7 p.m. on election day. Helpful hints on voting by mail and other subjects can be found at: http://www.votexas.org/helpful_hints.html.

Registered Texas voters who are away from their county of residence may be able to vote a limited ballot in person by going to the main early voting location in another Texas county. The voter will only be able to vote on offices that are on the ballot in both counties. Voting in person outside the county of residence is only possible during early voting at the main early voting location in another county.

III. Helping Others Register to Vote

There are several avenues for encouraging others to register to vote. It is important to make sure anyone who is registering to vote knows that one of a limited set of qualified photo IDs will be required to vote as of 2012 and that this ID may require documentation and several weeks to obtain.

1. Make others aware of the deadline to register to vote, where to obtain the application to register, and the need to have one of the qualified photo IDs.
2. Obtain a number of mail-in voter registration applications from the local elections office or other location where they are available, provide one to individuals who need to register, and tell them the correct zip code to complete the address on the mail-in form. If you are not deputized as a volunteer registrar in the county (see below), you cannot assist the applicant in filling out

the form or return the form for the applicant. Without being deputized you are limited to providing the application and the proper zip code.

3. Visit the voter registrar in your county and become a deputized volunteer deputy registrar for the county. To be appointed as a volunteer deputy registrar, you must be eligible to register to vote and not convicted of certain crimes. Volunteer deputy registrars will be required to complete training prior to accepting voter registration applications as soon as the Secretary of State determines the training standards which will be on or before January 1, 2012. A deputized volunteer deputy registrar can assist applicants in properly filling out a voter registration application and accept the application and return it to the voter registrar for the applicant. Applications must be returned to the voter registrar by the 5th day after receiving it. Information about becoming a volunteer deputy registrar is available at: <http://www.sos.state.tx.us/elections/pamphlets/deputy.shtml>

IV. Upcoming Texas Election Dates with Voter Registration Deadlines and Early Voting Dates

Important election dates are available at: <http://www.sos.state.tx.us/elections/index.shtml>

November 8, 2011, Statewide Constitutional Amendments and local elections in some areas but not all

Last day to register to vote: October 11, 2011

Early Voting: October 24-Nov 4

Election Day: Nov. 8

March 6, 2012, Primary Elections for Democratic and Republican candidates

Last day to register to vote: February 6, 2012

Early Voting: February 21-March 2

Election Day: March 6

May 12, 2012, Uniform Election Day for some local elections

Last day to register to vote: April 12, 2012

Early Voting: April 30-May 8

Election Day: May 12

November 6, 2012 General Election

Last day to register to vote: October 9, 2012

Early Voting: October 22-Nov 2

Election Day Nov. 6