

# Quick Reference Guide

Build-It-Yourself Version

## Overview

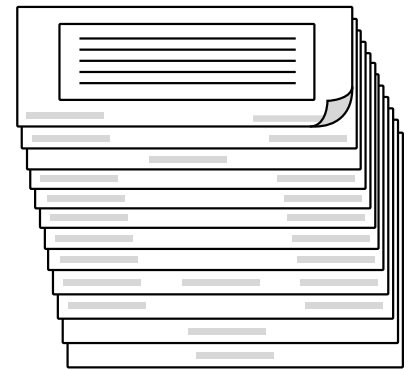
This Quick Reference Guide is a 'build it yourself' resource that can be taken into the poll location and used to quickly reference Election Day procedures and activities.

Refer to your state's election code to fill in specific information needed to be a well-informed Election Observer. The election codes by state have been aggregated by volunteers. Please see your state's codes by visiting:

<https://truethevote.org/info-by-state>

## Assembly Instructions

1. Print this document (double-sided, flip on the long edge)
2. Cut along the dotted line at the bottom of each page.
3. Order the pages according to the page numbers (don't include this page).
4. Align all pages along the top edge and staple.
5. Your finished document will have handy tabs along the bottom of each page for quick reference and space for taking notes as you flip the previous page.
6. Keep those elections honest and help true the vote!



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# Ohio Election Observer Quick Reference Guide



## Polling Place Staff

Lead authority (Voting Location Manager):

\_\_\_\_\_

Other election workers: \_\_\_\_\_

## Primary Mission of a Poll Watcher

OBSERVE and DOCUMENT activities of the Election Workers at the poll to ensure that proper elections procedures are followed. DO NOT TALK or ENGAGE with voters in any way. If a voter or other person approaches you in the poll, walk over to the LEAD AUTHORITY and ask him/her to explain to the person that you are not allowed to speak to them.

**Staff & Mission**

**Hotline #:** \_\_\_\_\_

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## Notes & Election Codes

### Section 3501.22 | Precinct officials.

(A)(1) ...Except as otherwise provided in division (C) of this section, all precinct election officials shall be qualified electors. The precinct election officials shall constitute the election officers of the precinct. Not more than one-half of the total number of precinct election officials shall be members of the same political party... The board may, at any time, designate any number of election officers, not more than one-half of whom shall be members of the same political party, to perform their duties at any precinct in any election. The board may appoint additional officials, equally divided between the two major political parties, when necessary to expedite voting. If the board of elections determines that four precinct election officials are not required in a precinct for a special election, the board of elections may select two or more of the precinct's election officers, who are not members of the same political party, to serve as the precinct election officials for that precinct in that special election... Precinct election officials shall perform all of the duties provided by law for receiving the ballots/supplies/opening & closing the polls/overseeing the casting of ballots during the time the polls are open/ & any other duties required by section 3501.26 of the Revised Code... A board of elections may designate two precinct election officials as counting officials to count and tally the votes cast and certify the results of the election at each precinct, and perform other duties as provided by law. To expedite the counting of votes at each precinct, the board may appoint additional officials, not more than one-half of whom shall be members of the same political party. Except as otherwise provided in division (A)(2) of this section, the board shall designate one of the precinct election officials who is a member of the dominant political party to serve as a voting location manager, whose duty it is to deliver the returns of the election and all supplies to the office of the board... The board shall issue to each precinct election official a certificate of appointment, which the official shall present to the voting location manager at the time the polls are opened.

... (C)(1) A board of elections... may establish a program permitting certain high school students to apply and, if appointed by the board of elections, to serve as precinct officers at a primary, special, or general election.

**Section 3501.33 | Authority of precinct officials.**

All precinct election officials shall enforce peace and good order in and about the place of registration or election. They shall especially keep the place of access of the electors to the polling place open and unobstructed and prevent and stop any improper practices or attempts tending to obstruct, intimidate, or interfere with any elector in registering or voting. They shall protect observers against molestation and violence in the performance of their duties, and may eject from the polling place any observer for violation of any provision of Title XXXV of the Revised Code. They shall prevent riots, violence, tumult, or disorder. In the discharge of these duties, they may call upon the sheriff, police, or other peace officers to aid them in enforcing the law. They may order the arrest of any person violating Title XXXV of the Revised Code, but such an arrest shall not prevent the person from registering or voting if the person is entitled to do so. The sheriff, all constables, police officers, and other officers of the peace shall immediately obey and aid in the enforcement of any lawful order made by the precinct election officials in the enforcement of Title XXXV of the Revised Code.













## Voting Area

<https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.001>  
**Sec. 61.001. BYSTANDERS EXCLUDED; UNLAWFUL PRESENCE OF CANDIDATE.**

(a-1) Under this code, a person may be lawfully present in a polling place during the time described by Subsection (a) if the person is: (1) an election judge or clerk; (2) a watcher; (3) the secretary of state; (4) a staff member of the Elections Division of the Office of the Secretary of State performing an official duty in accordance with this code; (5) an election official, a sheriff, or a staff member of an election official or sheriff delivering election supplies; (6) a state inspector; (7) a person admitted to vote; (8) a child under 18 years of age who is accompanying a parent who has been admitted to vote; (9) a person providing assistance to a voter under Section 61.032 or 64.032; (10) a person accompanying a voter who has a disability; (11) a special peace officer appointed by the presiding judge under Section 32.075; (12) the county chair of a political party conducting a primary election, as authorized by Section 172.1113; (13) a voting system technician, as authorized by Section 125.010; (14) the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or (15) a person whose presence has been authorized by the presiding judge in accordance with this code. (b) A candidate in the election commits an offense if the candidate is in a polling place during the period described by Subsection (a) for a purpose other than: (1) voting; or (2) official business in the building in which the polling place is located. (c) It is an exception to the application of Subsection (b) that the candidate: (1) is not within plain view or hearing of the persons in the voting area or the area in which voters are being accepted for voting; and (2) is not engaged in campaign activity.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.62.htm#62.004>  
**Sec. 62.004. ARRANGING VOTING STATIONS.**

The voting stations shall be arranged so that: (1) the voting area is in view of the election officers, watchers, and persons waiting to vote but is separated from the persons waiting to vote; (2) access to the voting area is prevented; and (3) the voting area is adequately lighted.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.62.htm#62.002>  
**Sec. 62.002. TIME FOR COMPLETING ARRANGEMENTS.**

Sec. 64.002(a) Except as otherwise provided by this code, only one person at a time may occupy a voting station. (b) A child under 18 years of age may accompany the child's parent to a voting station.

## Valid Forms of ID

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.001>  
**Sec. 63.001. REGULAR PROCEDURE FOR ACCEPTING VOTER.**

(b): Except as provided by Subsection (h), on offering to vote, a voter must present to an election officer at the polling place: (1) one form of photo identification listed in Section 63.0101(a); or (2) one form of identification listed in Section 63.0101(b) accompanied by the declaration described by Subsection (i).

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.0101>  
**Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION.** (a):

The following documentation is an acceptable form of photo identification under this chapter: (1) a driver's license, election identification certificate, or personal identification card issued to the person by the Department of Public Safety that has not expired or that expired no earlier than four years before the date of presentation; (2) a United States military identification card that contains the person's photograph, as authorized by Section 172.1113; (13) a voting system technician, as defined by Section 125.010; (14) the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or (15) a person whose presence has been authorized by the presiding judge in accordance with this code. (b) A candidate in the election commits an offense if the candidate is in a polling place during the period described by Subsection (a) for a purpose other than: (1) voting; or (2) official business in the building in which the polling place is located. (c) It is an exception to the application of Subsection (b) that the candidate: (1) is not within plain view or hearing of the persons in the voting area or the area in which voters are being accepted for voting; and (2) is not engaged in campaign activity.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.0102>  
**Sec. 63.0102. USE OF CERTAIN ELECTRONICALLY READABLE INFORMATION.**

(a) An election officer may access electronically readable information on a driver's license or personal identification card for proof of identification when determining whether a voter shall be accepted for voting.



### **Voter Check-In**

Voter is required to show: one form of photo ID or one form of ID (non-photo, government issued document or bank statement, etc as per Sec. 63.0101.)

Voter name is matched to list of registered voters for precinct and voter is admitted into voting area.

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### **Voter Check-In**

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## Voter Check-In

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.001>  
**Sec. 63.001. REGULAR PROCEDURE FOR ACCEPTING VOTER.**

(b) Except as provided by Subsection (h), on offering to vote, a voter must present to an election officer at the polling place: (1) one form of photo identification listed in Section 63.0101(a); or (2) one form of identification listed in Section 63.0101(b) accompanied by the declaration described by Subsection (i).

(c) On presentation of the documentation required under Subsection (b), an election officer shall determine whether the voter's name on the documentation is on the list of registered voters for the precinct. If in making a determination under this subsection the election officer determines under standards adopted by the secretary of state that the voter's name on the documentation is substantially similar to but does not match exactly with the name on the list, the voter shall be accepted for voting under Subsection (d) if the voter submits an affidavit stating that the voter is the person on the list of registered voters.

(c-1) An election officer may not refuse to accept documentation presented to meet the requirements of Subsection (b) solely because the address on the documentation does not match the address on the list of registered voters.

(d) If, as determined under Subsection (c), the voter's name is on the precinct list of registered voters and the voter's identity can be verified from the documentation presented under Subsection (b), the voter shall be accepted for voting. An election officer may not question the reasonableness of an impediment sworn to by a voter in a declaration described by Subsection (i).

(e) On accepting a voter, an election officer shall indicate beside the voter's name on the list of registered voters that the voter is accepted for voting. If the voter executes a declaration of reasonable impediment to meet the requirement for identification under Subsection (b), the election officer must affix the voter's voter registration number to the declaration either in numeric or bar code form.

(g) If the requirements for identification prescribed by Subsection (b) are not met, the voter may be accepted for provisional voting only under Section 63.011....

(h) The requirements for identification prescribed by Subsection (b) do not apply to a voter who is disabled and presents the voter's voter registration certificate containing the indication described by Section 15.001(c) on offering to vote.

(i) If the requirement for identification prescribed by Subsection (b)(1) is not met, an election officer shall notify the voter that the voter may be accepted for voting if the voter meets the requirement for identification prescribed by Subsection (b)(2) and executes a declaration declaring the voter has a reasonable impediment to meeting the requirement for identification prescribed by Subsection (b)(1):

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.0011>  
**Sec. 63.0011. STATEMENT OF RESIDENCE REQUIRED.**

(a) Before a voter may be accepted for voting, an election officer shall ask the voter if the voter's residence address on the precinct list of registered voters is current and whether the voter has changed residence within the county....(b) If the voter's residence address is not current because the voter has changed residence within the county, the voter may vote, if otherwise eligible, in the election precinct in which the voter is registered if the voter resides in the county in which the voter is registered....

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.002>  
**Sec. 63.002. SIGNATURE ROSTER.**

(a) A signature roster shall be maintained by an election officer at the polling place. NOTE: May be electronic.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.003>  
**Sec. 63.003. POLL LIST.**

(a) A poll list shall be maintained by an election officer at the polling place. NOTE: May be electronic.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.005>  
**Sec. 63.005. REGISTRATION OMISSIONS LIST.**

(a) A registration omissions list shall be maintained by an election officer at the polling place. NOTE: The registration omissions list is for each voter who is accepted for voting but whose name is not on the list of registered voters for the precinct in which the voter is accepted.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.006>  
**Sec. 63.006. VOTER WITH REQUIRED DOCUMENTATION WHO IS NOT ON LIST.**

(a) A voter who, when offering to vote, presents the documentation required under Section 63.001 (b) but whose name is not on the precinct list of registered voters shall be accepted for voting if the voter also presents a voter registration certificate indicating that the voter is currently registered.... and the voter executes an affidavit stating that the voter: (A) is a resident of the precinct in which the voter is offering to vote or is otherwise entitled by law to vote in that precinct; ... and (D) is voting only once in the election.



### **Paper Ballots and Ballot Box**

Ballot box is locked and kept in plain view of election officers, watchers and waiting voters.

Election officer unseals ballot packages and checks numbering/printing on each ballot.

Presiding judge signs backs of ballots used and / or can stamp signature on each ballot.

Voters cannot have or use unsigned ballots.

Election officer can disarrange/shuffle ballots and are always placed face-down on table for ballot and voter privacy purposes.

To vote: Voter makes selection, folds ballot and deposits in ballot box.

Provisional ballots are always stored separately from other ballots.

Ballot boxes must be monitored by at least one election official at all times from the time the polling station opens until results are certified.

### **Electronic Ballots**

Electronic Ballots can be used for early voting if electronic voting systems are used in regular voting.

Electronic voting machines are periodically inspected for tampering and damage throughout the day.

If tamper/damage discovered, equipment is immediately taken out of use and reported to presiding judge.

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## **Paper Ballots**

## **Electronic Ballots**



## Paper Ballots

<https://states.capitol.texas.gov/Docs/EL/htm/EL.62.htm#62.006>  
**Sec. 62.006. PLACING BOX FOR DEPOSIT OF MARKED BALLOTS.**  
The ballot box to be used by the voters to deposit marked ballots shall be locked. The ballot box and the box used for the deposit of provisional ballots shall be placed where they will be in plain view of the election officers, watchers, and persons waiting to vote.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.62.htm#62.007>  
**Sec. 62.007. EXAMINING BALLOTS.**

(a) An election officer shall unseal the ballot package, remove the ballots, and examine them to determine whether they are properly numbered and printed.  
(b) An unnumbered or otherwise defectively printed ballot shall be placed in ballot box no. 4.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.62.htm#62.008>  
**Sec. 62.008. PRESIDING JUDGE TO SIGN BALLOTS.**

(a) The presiding judge's signature shall be placed on the back of each ballot to be used at the polling place.  
(b) The judge shall sign each ballot or an election officer shall stamp a facsimile of the judge's signature on each ballot. Sec.  
(c) The signing of ballots need not be completed before the polls open, but an unsigned ballot may not be made available for selection by the voters.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.62.htm#62.009>  
**Sec. 62.009. DISARRANGING BALLOTS FOR VOTERS' SELECTION.**

(a) As needed for voting, an election officer shall disarrange a supply of the ballots so that they are in random numerical order.  
(b) The disarranged ballots shall be placed face down on a table in a manner preventing an election officer or other person from ascertaining the number of a ballot selected by a voter.  
(c) The provisional ballots shall be placed separately from the regular ballots.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.64.htm#64.008>  
**Sec. 64.008. DEPOSITING BALLOT.**

(a) Except as provided by Subsection (b), after a voter has marked the ballot, the voter shall fold the ballot to conceal the way it is marked but to expose the presiding judge's signature, and shall deposit it in the ballot box used for the deposit of marked ballots.  
(b) After a voter has marked a provisional ballot, the voter shall enclose the ballot in the envelope on which the voter's executed affidavit is printed. The person shall seal the envelope and deposit it in a box available for the deposit of provisional ballots.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.005>  
**Sec. 61.005. SECURITY OF BALLOTS, BALLOT BOXES, AND ENVELOPES.**

(a) From the time a presiding judge receives the official ballots for an election until the precinct returns for that election have been certified, the presiding judge shall take the precautions necessary to prevent access to the ballots, ballot boxes, and envelopes used for provisional ballots in a manner not authorized by law.  
(b) The ballots, ballot boxes, and envelopes used for provisional ballots at a polling place shall be in plain view of at least one election officer from the time the polls open for voting until the precinct returns have been certified.  
(c) A presiding election judge commits an offense if the judge fails to prevent another person from handling a ballot box containing voters' marked ballots or an envelope containing a voter's provisional ballot in an unauthorized manner or from making an unauthorized entry into the ballot box or envelope. An offense under this subsection is a Class A misdemeanor. NOTE: See TX Election Code Chapter 87 for paper early voting (in person and by mail) and TX Election Code Chapter 127 for voted ballots that are to be tabulated at a central counting stations.

## Electronic Ballots

<https://states.capitol.texas.gov/Docs/EL/htm/EL.81.htm#81.003>  
**Sec. 81.003. SUBSTITUTION OF ELECTRONIC SYSTEM BALLOTS FOR PAPER BALLOTS.**

In an election in which an electronic voting system is used in regular voting but not for all or part of the early voting, the electronic system ballots prepared for use in regular voting may be used for early voting, if practicable, at the discretion of the authority responsible for having the official ballot prepared for the election.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.125.htm#125.005>  
**Sec. 125.005. MAINTAINING SECURITY OF EQUIPMENT DURING VOTING.**

(a) The presiding judge shall periodically have an election officer inspect the voting system equipment for tampering and damage while voting is in progress.  
(b) If any tampering or damage is discovered, the inspecting officer shall immediately stop use of the equipment and report to the presiding judge, who shall promptly take appropriate action.



**Provisional Ballots**

When the eligibility of the voter is in question, a voter should be given a provisional ballot. Some examples are:

- Voter is in the wrong precinct
- Voter has an address that is outside the country
- Voter not qualified but insist on voting

**Provisional ballot procedures that should be followed in your state:**

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**Mail Ballots**

Mail Ballots: Voter may correct absentee ballot in person and poll watcher is entitled to accompany clerk to observe absentee ballot correction.

Correction includes any ballots that are defective in original application, received timely and before the deadline.

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**Provisional Ballots**

**Mail Ballots**



## Provisional Voting

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.001>  
**Sec. 63.001. REGULAR PROCEDURE FOR ACCEPTING VOTER.**

(g) If the requirements for identification prescribed by Subsection (b) are not met, the voter may be accepted for provisional voting only under Section 63.011....

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.0051>  
**Sec. 63.0051. CONFIRMING REGISTRATION STATUS OF VOTER.**

(e) The voter shall be accepted for provisional voting under Section 63.011 if the election officer cannot determine that the voter is a registered voter or the territory covered by the election in which the voter is offering to vote.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.009>  
**Sec. 63.009. VOTER WITHOUT CERTIFICATE WHO IS NOT ON LIST.**

A voter who does not present a voter registration certificate when offering to vote, and whose name is not on the list of registered voters for the precinct in which the voter is offering to vote, shall be accepted for provisional voting if the voter executes an affidavit in accordance with Section 63.011.

<https://states.capitol.texas.gov/Docs/EL/htm/EL.63.htm#63.011>  
**Sec. 63.011. PROVISIONAL VOTING.**

(a) A person to whom Section 63.001(g) or 63.009 applies may cast a provisional ballot if the person executes an affidavit stating that the person: (1) is a registered voter in the precinct in which the person seeks to vote; and (2) is eligible to vote in the election.  
(a-1) A person to whom the early voting clerk was required to provide an early voting ballot by mail under Section 86.001 and who did not vote early by mail may cast a provisional ballot on election day if the person executes an affidavit stating that the person: (1) is a registered voter in the precinct in which the person seeks to vote; and (2) did not vote early by mail. Sec.  
(b) A form for an affidavit required by this section must be printed on an envelope in which the provisional ballot voted by the person may be placed and must include: (1) a space for entering the identification number of the provisional ballot voted by the person; and (2) a space for an election officer to indicate whether the person presented a form of identification described by Section 63.0101.  
(c) After executing the affidavit, the person shall be given a provisional ballot for the election. An election officer shall record the number of the ballot on the space provided on the affidavit.  
(d) An election officer shall enter "provisional vote" on the poll list beside the name of each voter who is accepted for voting under this section.  
(e) A person who is permitted under a state or federal court order to cast a ballot in an election for a federal office after the time allowed by Subchapter B, Chapter 41, must cast the ballot as a provisional vote in the manner required by this section.

## Mail Ballots

See TX Election Code Chapter 86 (conduct of voting by mail, including application for ballot to be voted by mail) and Chapter 87 (processing early voting results by early voting board).

<https://states.capitol.texas.gov/Docs/EL/htm/EL.86.htm#86.008>  
**Sec. 86.008. OPPORTUNITY TO CORRECT DEFECT: APPLICATION.**

NOTE: Under Sec. 86.008(d), a poll watcher is entitled to accompany the clerk and observe the procedures under this subsection (ex. the clerk may deliver in person to the voter a second application [for ballot to be voted by mail] if the defective original application is timely and may receive, before the deadline, the corrected application in person from the voter).

<https://states.capitol.texas.gov/Docs/EL/htm/EL.86.htm#86.011>  
**Sec. 86.011. ACTION BY CLERK ON RETURN OF BALLOT.**

(d) A poll watcher is entitled to observe the procedures under this subsection (ex. if the clerk receives a timely carrier envelope that does not fully comply with the applicable requirements prescribed by this title, the clerk may deliver the carrier envelope in person or by mail to the voter and may receive, before the deadline, the corrected carrier envelope from the voter, or the clerk may notify the voter of the defect by telephone and advise the voter that the voter may come to the clerk's office in person to correct the defect or cancel the voter's application to vote by mail and vote on election day).





### **Curbside Voting**

For voters physically unable to enter polling place without assistance or risk of injury to health. Ballot is requested under such conditions from the election officer, voter can mark ballot and give to election officer or person accompanying voter to deposit in the ballot box.

### **Rules on Voters Needing Assistance**

Watcher can observe voter assistance by an election officer and examine ballot before it is entered in ballot box but watcher may not be present when voter is preparing their ballot or being assisted by another person of their choice. Voter can receive assistance if voter has physical disability (vision impairment), illiteracy or cannot read in ballot language and requires interpreter.

### **Who may provide assistance to a voter?**

Any person the voter chooses or an election official. Interpreter guidelines: Interpreter cannot be person's employer, officer or agent of voter's labor union and must be registered voter of county or adjacent county of voter requiring interpreter services. Interpreter must take oath. Election officer and watcher may request English translation of all non-English communications made. Voter may obtain assistance with using regular paper ballots if physically unable to operating the voting machine.

### **Electioneering**

No electioneering (posting, using or distributing political signs or literature), campaigning for or against any party, candidate or measure within 100 feet of outside entry door of polling station during polling station opening hours. No person or vehicle operating a loudspeaker to be used within 1,000 feet of polling place building for purpose of making a political speech or electioneering/campaigning in favor or against any candidate, measure or political party. No influencing another voter at polling place. No wearing any political badges related to any parties, candidates or measures on the ballot within 100 feet of any polling station voter entry door.

**Curbside Voting**

**Voters Needing Assistance**

**Electioneering**

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## Curbside Voting

<https://states.capitol.texas.gov/Docs/EL/htm/EL.64.htm>  
**Sec. 64.009. VOTER UNABLE TO ENTER POLLING PLACE.**

- (a) If a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or curbside.
- (b) The regular voting procedures, except those in Subchapter B, may be modified by the election officer to the extent necessary to conduct voting under this section.
- (c) After the voter is accepted for voting, the voter shall mark the ballot and give it to the election officer who shall deposit it in the ballot box.
- (d) On the voter's request, a person accompanying the voter shall be permitted to select the voter's ballot and deposit the ballot in the ballot box.
- (e) Except as provided by Section 33.057, a poll watcher is entitled to observe any activity conducted under this section.

## Voters Needing Assistance

<https://states.capitol.texas.gov/Docs/EL/htm/EL.33.htm#33.057>  
**Sec. 33.057. OBSERVING PREPARATION OF VOTER'S BALLOT.**

- (a) A watcher is entitled to be present at the voting station when a voter is being assisted by an election officer, and the watcher is entitled to examine the ballot before it is deposited in the ballot box to determine whether it is prepared in accordance with the voter's wishes.
- (b) A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person or the voter's provisions for assisting voters using regular paper ballots. choice.
- Sec. 125.007. ASSISTING VOTER.**
- If a voter who is voting with a voting machine is physically unable to operate the machine, the voter is entitled to assistance under the applicable provisions for assisting voters using regular paper ballots. choice.
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.62.htm#62.0115>  
**Sec. 62.0115. PUBLIC NOTICE OF VOTERS' RIGHTS.**
- (b) Except as revised by the secretary of state under Subsection
- (d) ... a voter has the right to: (4) request instructions on how to cast a ballot, but not to receive suggestions on how to vote; (5) bring an interpreter to translate the ballot and any instructions from election officials; (6) receive assistance in casting the ballot if the voter: (A) has a physical disability that renders the voter unable to write or see; or (B) cannot read the language in which the ballot is written;....
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.009>  
**Sec. 61.009. INSTRUCTING VOTER ON CASTING BALLOT.**
- On the request of a voter, an election officer shall instruct the voter on the proper procedure for casting a ballot.
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.031>  
**Sec. 61.031. USE OF ENGLISH LANGUAGE.**
- (b) If a voter cannot communicate in English, an election officer may communicate with the voter in a language that the voter and the officer understand.
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.032>  
**Sec. 61.032. INTERPRETER PERMITTED.**
- If an election officer who attempts to communicate with a voter does not understand the language used by the voter, the voter may communicate through an interpreter selected by the voter or, if the voter has not selected an interpreter, any interpreter an election officer may appoint.
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.033>  
**Sec. 61.033. ELIGIBILITY TO SERVE AS INTERPRETER.**
- To be eligible to serve as an interpreter, a person: (1) may be any person 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; and (2) if appointed to serve as an interpreter by an election officer, must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county.
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.035>  
**Sec. 61.035. OATH.**
- (a) Before serving as an interpreter, the person selected as interpreter must take ... oath administered by an election officer....
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.036>  
**Sec. 61.036. TRANSLATION REQUIRED.**
- (a) If an election officer and a voter communicate in a language other than English, any other election officer or watcher may request an English translation of anything communicated in the other language.

## Electioneering

<https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.003>  
**Sec. 61.003. ELECTIONEERING AND LOTTERING NEAR POLLING PLACE.**

- (a) A person commits an offense if, during the voting period and within 100 feet of an outside door through which a voter may enter the building in which a polling place is located, the person: (1) loiters; or (2) electioneers for or against any candidate, measure, or political party.
- (a-1) The entity that owns or controls a public building being used as a polling place may not, at any time during the voting period, prohibit electioneering on the building's premises outside of the area described in Subsection (a), but may enact reasonable regulations concerning the time, place, and manner of electioneering.
- (b) In this section: (1) "Electioneering" includes the posting, use, or distribution of political signs or literature. The term does not include the distribution of a notice of a party convention authorized under Section 172.1114. (2) "Voting period" means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later.
- <https://states.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.004>  
**Sec. 61.004. UNLAWFUL OPERATION OF SOUND AMPLIFICATION DEVICE OR SOUND TRUCK.**



### **Closing Procedures**

- Securing and Transporting Ballots / Equipment: Election officer secures and inactivates voting equipment.
- Breaking Down Equipment (Notes from your state’s election code)
- Election workers are responsible for breaking down equipment; poll watchers only observe and document the process.

### **Voting After the Polls Close**

- Doors close at 7:00pm.
- Presiding judge shall direct waiting voters to enter the polling place and close it to others.
- If not possible, presiding judge shall distribute numbered identification cards to those waiting voters and permit entry after closing only by those possessing a numbered identification card.

### **Securing and Transporting Ballots / Equipment**

- Election officer secures and inactivates voting equipment at closing of the polling place and as prescribed by the secretary of state so that its unauthorized operation is prevented.

### **Breaking Down Equipment**

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## **Closing the Poll**

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## Closing the Poll

<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.002>

### **Sec. 61.002. OPENING AND CLOSING POLLING PLACE FOR VOTING.**

(c): Immediately after closing the polls for voting on election day, the presiding election judge or alternate election judge shall print the tape to show the number of votes cast for each candidate or ballot measure for each voting machine.

(d): Each election judge or alternate election judge present shall sign a tape printed under this section.

<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.125.htm#125.063>

### **Sec. 125.063. SECURING EQUIPMENT ON CLOSE OF VOTING.**

On the close of voting at each polling place at which electronic voting system equipment is used, an election officer shall secure or inactivate the equipment as prescribed by the secretary of state so that its unauthorized operation is prevented.

<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.41.htm#41.031>

### **Sec. 41.031. VOTING HOURS.**

(a) Except as provided by Section 41.033, the polls shall be opened at 7 a.m. for voting and shall be closed at 7 p.m. (b) Voting may not be conducted after the time for closing the polls except as provided by Section 41.032.

<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.41.htm#41.032>

### **Sec. 41.032. VOTING AFTER POLLS CLOSE.**

(a) A voter who has not voted before the time for closing the polls is entitled to vote after that time if the voter is inside or waiting to enter the polling place at 7 p.m.

(b) If voters are waiting to enter the polling place at closing time, the presiding judge shall direct them to enter the polling place and shall close it to others. However, if that procedure is impracticable, at closing time the presiding judge shall distribute numbered identification cards to the waiting voters and permit entry into the polling place for voting after closing time only by those possessing a card.

(c) The presiding judge shall take the precautions necessary to prevent voting after closing time by persons who are not entitled to do so.

<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.61.htm#61.007>

### **Sec. 61.007. UNLAWFULLY REVEALING INFORMATION BEFORE POLLS CLOSE.**

(c): Beginning at 9:30 a.m. and at each subsequent two-hour interval through 5:30 p.m., the presiding judge shall post written notice of the total number of voters who have voted in the precinct. The notice shall be posted at an outside door through which a voter may enter the building in which the polling place is located.

**Election Observers MUST**

- Deliver a certificate of appointment to the general custodian of election records at time they report to service.
- Be of opposing interests if present and sign the seal for container storing test materials.

**Election Observers MAY**

- Begin service at any time after the presiding judge arrives.
- Serve at the polling place during the hours they choose and may choose to remain when ballots are being counted (but cannot leave until all votes are counted if present during ballot counting).
- Observe early voting ballot by mail - signature verification and voter opportunity to correct on election day.
- Be present for an audit if appointed by a candidate in the election.

**Election Observers MAY NOT**

- Reveal the number of votes, a candidate's position relative to another, whether a measure is passing for failing or names of persons who may or may not have voted.
- Leave the polling place until ballots are completely counted if they remain at the polling place during the time votes are being counted.

## Election Observer Rules & Privileges

Section 3505.21 | Appointment of challengers and witnesses.

(A) As used in this section:

(1) 'During the casting of the ballots' includes the following:

(a) Any time during a board of elections permits an elector to vote an absent voter's ballot in person at the office of the board;

(b) Any time ballots may be cast in a precinct polling place on the day of an election;

(c) Any time during which a board of elections processes absent voter's ballots before the time for counting those ballots.

(2) "During the counting of the ballots" includes any time during which the election officials count and tally ballots, make the official canvass of election returns, or conduct an audit of the official results of an election.

(B) At any special/general election/any political party supporting candidates or one person, a qualified elector, who shall serve as observer for such party or such appoint to the board of elections or to any of the precincts in the county/city one person, a qualified elector, who shall serve as observer for such party or such candidates during the casting of the ballots & during the counting of the ballots; provided that separate observers may be appointed to serve during the casting & during the counting of the ballots. No candidate/peace officer/uniformed member of the organized militia/person wearing any other uniform/ & no person carrying a firearm/ deadly weapon shall serve as an observer, nor shall any candidate be represented by more than one observer at any one precinct/board of elections except that a candidate who is a member of a party controlling committee may serve as observer.

(C) Any political party/group of candidates appointing observers shall notify the board of elections of the names/addresses of its appointees/& the precincts at which they shall serve or that they will serve at the board of elections. Notification of observers appointed to serve on the day of an election shall take place not less than 11 days before the day of election on forms prescribed by the secretary of state and may be amended by filing an amendment with the board of elections at any time until 4pm of the day before the election. Notification of observers appointed to serve at the office of the board of absent voters' ballots before the time for counting those ballots shall take place not less than 11 days before absent voters' ballots are required to be ready for use . . . on forms prescribed by the secretary of state & may be amended by filing an amendment with the board of elections at any time until 4pm of the day before observer is appointed to serve. Observer serving on behalf of a political party shall be appointed in writing by the chairperson & secretary of the respective controlling party committee. Observers serving for any five or more candidates shall have their certificates signed by those candidates. Observers appointed to a precinct may file their certificates of appointment with voting location manager of the precinct at the meeting on the evening prior to the election, or with voting location manager of the precinct on the day of election. Observers appointed to the office of the board of absent voter's ballots in person prior to the day of the election or the processing of absent voter's ballots are scheduled to serve time for counting those ballots may file their certificates with the director of the board of elections the day before/on the day the observers are scheduled to serve at the office of board. Upon the filing of a certificate, the person named as observer in the certificate shall be permitted to be in & about the applicable polling place during the casting of the ballots & be permitted to watch every proceeding of the precinct election officials from the time of the opening until the closing of the polls. The observer may inspect the counting of all ballots in the polling place/board of elections from the time of the closing of the polls until the counting is completed & the final returns are certified and signed. Observers appointed to serve at the board of elections on the day of an election under this section may observe at the board of elections and may observe at any precinct in the county. The precinct election officials shall protect such observers in all of the rights and privileges . . .

(D) No persons other than the precinct election officials/observers/poll office officer/persons who are detailed to any precinct on request of the board of elections/or ballots, after the closing of the polls until the counting/certifying/& signing of the final returns completed.

(E) Not later than 4pm, of the 12th day prior to an election at which questions are to be submitted to a vote of the people, any committee that in good faith advocates or opposes a measure may file a petition with the board of any county asking that the petitioners be recognized as the committee entitled to appoint observers to the count at the election. If more than one committee alleging the same measure file such a petition, the board shall decide and announce by registered mail to each committee not less than 12 days immediately preceding the election which committee is recognized as being entitled to appoint observers. The decision shall not be final, but any aggrieved party may institute mandamus proceedings in the court of common pleas the county in which the board has jurisdiction to compel the precinct election officials to accept the appointment of such aggrieved party. Any such recognized committee may appoint an observer to the count in each precinct. Committees appointing observers notify the board of elections of names & addresses of its appointees/the precincts serving. Notification shall take place not less than 11 days before the election on forms by the secretary of state & may be amended by filing an amendment with the board of elections any time until four p.m. on the day before the election. A person so appointed shall file the person's certificate before the appointment with the voting location manager in the precinct in which the person has been appointed to serve. Observers shall file their certificates before the polls are closed. In no case more than 6 observers be appointed for any one election or precinct. If more than 3 questions are to be voted on, the committees which have appointed observers may agree upon not to exceed 6 observers, & precinct election officials appoint such observers. If such committees fail to agree, the precinct election officials appoint 6 observers from appointees so certified, such that side of the several questions shall be represented.



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**Additional Notes**

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