

Reviewing Your ABBMs



Texas Secretary of State – Elections Division



TOPICS COVERED

1. Eligibility to Vote by Mail
2. Methods of Submitting an ABBM
3. Reviewing ABBMs
4. Cancellation of an ABBM
5. Accepting and Rejecting ABBMs

Plus **NEW LAW** throughout.



ELIGIBILITY TO VOTE BY MAIL



Eligibility to Vote by Mail

- **A qualified voter may vote by mail if the voter:**
 - Will be 65 or older on Election Day (Annual or Regular ABBM)
 - Has a Disability (Annual or Regular ABBM)
 - Is Expecting to Give Birth Within Three Weeks Before or After Election Day (Regular ABBM) **(New Law)**
 - Is Civilly Committed Under Chapter 841, Health and Safety Code (Regular ABBM) **(New Law)**
 - Expects to be Absent from County during Early Voting and on Election Day (Regular ABBM)
 - Is Confined in Jail (Regular ABBM)
 - In Address Confidentiality Program (Regular ABBM)
 - Is Military or Dependent of Military & Outside of Home Texas County (FPCA)
 - Is Temporarily Living Outside the United States (FPCA)
 - Is Living Outside the United States and Voter has Indicated their Intent to Return is Uncertain (FPCA)
 - Is a member of the National Guard or Dependent (FPCA) **(New Law)**
- Chapters 82 and 101, Texas Election Code



Eligibility to Vote by Mail

NEW LAW: House Bill 3920 (2021)

- Modified the definition of disability to include a qualified voter who is expecting to give birth within three weeks before or after election day. However, note that voters in this category are not eligible to submit an Annual ABBM.

Section 82.002, Texas Election Code



Eligibility to Vote by Mail

NEW LAW: House Bill 3107 (2021)

- Created a new category of eligibility for voting by mail for voters that have been civilly committed under Chapter 841 of the Health and Safety Code.

Section 82.008, Texas Election Code



Eligibility to Vote by Mail

NEW LAW: House Bill 3107 (2021)

- Expanded FPCA eligibility to a member of the Texas National Guard or the National Guard of another state or a member of the reserves serving on active duty, and includes their spouse or dependents.

Section 101.001, Texas Election Code



Eligibility to Vote by Mail

NEW LAW: House Bill 3920 (2021)

- The following do not constitute sufficient cause to entitle a voter to vote under the disability category:
 - (1) a lack of transportation
 - (2) a sickness that does not prevent the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter's health, or
 - (3) a requirement to appear at the voter's place of employment on election day.

Section 82.002, Texas Election Code



Type	Who Can Use?	Application Delivery	Filing Period	Expiration Date	Ballots Received
Regular ABBM	<ul style="list-style-type: none"> • 65+ on Eday • Disability • Expected to Give Birth Within Three Weeks Before or After Eday • Absent from County • Confined in Jail • Civilly Committed under Chapter 841, Health and Safety Code • Address Confidentiality 	<ul style="list-style-type: none"> • In person by voter not later than the 11th day before Eday • Regular Mail • Common or Contract Carrier • Fax • Email (signed, scanned attachment) 	January 1 of calendar year through 11 th day before election day for which ballot is requested.	Good for one election only (plus runoff if requested). Expires after the election for which ballot was requested. OR Voter cancels ABBM.	Ballot(s) for election(s) held by early voting clerk to whom application submitted (and runoff ballot, if requested).
Annual ABBM	<ul style="list-style-type: none"> • 65+ on Eday • Disability 	<ul style="list-style-type: none"> • Same as Regular ABBM 	January 1 of calendar year*+ *On or before 11 th day before Eday, to receive ballot for that election +Up to 60 days before election held in January or February.	December 31 OR Until: <ul style="list-style-type: none"> • Voter cancels ABBM • Registration cancelled • Voter registers in a new county 	All ballots for all elections held by all political subdivisions in the year in which submitted.+
FPCA	<ul style="list-style-type: none"> • Military Voter Outside Home Texas County (or Dependent) • National Guard (or Dependent) • U.S. Citizen Overseas 	<ul style="list-style-type: none"> • In person by voter not later than the 11th day before Eday • Regular Mail • Common or Contract Carrier • Fax • Email (signed, scanned attachment) 	January 1 of calendar year*+ *If registered, on or before 11 th day before Eday, to receive ballot for that election. If not registered but eligible to register, not later than 20 th day before Eday. +Up to 60 days before election held in January or February.	Same as Annual ABBM	All ballots for all elections held by the county, city, or school district, in the year in which submitted (unless eligible for federal ballot only).+

ABBM Ballot Tracker

NEW LAW: House Bill 1382 (2021)

- Requires the Secretary of State to provide an online tool on the Secretary of State's website that enables a person who has submitted an Application for a Ballot by Mail to track the location and status of the person's application and ballot. The tracking tool must require the voter to provide certain personally identifiable information in order for the voter to obtain information related to their ballot.
- The ballot by mail tracker must be updated with each of the following events to provide information on:
 - When an application to vote by mail has been received by the early voting clerk;
 - When the mail ballot application has been accepted or rejected by the early voting clerk;
 - When the official ballot has been placed in the mail by the early voting clerk;
 - When the person's marked ballot is received by the early voting clerk; and
 - Whether the early voting ballot board has accepted or rejected the ballot.
 - For each carrier envelope containing a mail ballot, the ballot by mail tracker must assign or record a serially numbered and sequentially issued barcode or tracking number unique to each envelope.

NOTE: The mail ballot tracker will only be available for elections in which the county election officer is the early voting clerk.

Section 86.015, Texas Election Code



Methods of Submitting an ABBM

Voters may use either:

- An SOS official (formal) application (84.011); or
- An informal Application (84.002)



Informal Application

- In writing (i.e., not verbal)
- Signed by applicant or witness
- Contain Applicant's Name
- State Registered Residence Address
- Contain Address to which ballot to be mailed
- State Grounds for voting by mail
- Indication of which election application is for



Informal Application

NEW LAW: House Bill 3920 (2021)

- An application for a ballot to be voted by mail on the ground of disability must require the applicant to affirmatively indicate the following: “I have a sickness or physical condition that prevents me from appearing at the polling place on election day without a likelihood of needing personal assistance or injuring my health.”
- This statement must be affirmatively indicated by the voter on their application to vote by mail
- **Note:** This statement is not required from a voter who is expecting to give birth within three weeks before or after election day.

Section 82.002, Texas Election Code



Informal Application

NEW LAW: House Bill 3107 (2021)

-For an application for a ballot to be voted by mail on the ground of involuntary civil commitment, the application must include the address of the facility operated by or under contract with the Texas Civil Commitment Office or of a person related to the applicant within the third degree of consanguinity, as determined under Chapter 573, Government Code.

Section 84.002, Texas Election Code



Informal Application

- For ABBMs which are prepared and distributed by campaigns, please note that these applications must include the information required under Section 84.002 of the Election Code, including the statement which must be affirmatively indicated by the voter on their application to vote by mail if voting by mail on the ground of disability.



Formal Application – Prescribed by SOS

Application for a Ballot by Mail If someone helps you complete this form or mails, emails or faxes this form for you, that person must complete the Witness/Assistant Box # 6 below. If you email or fax this form to the Early Voting Clerk, you must also send the original hardcopy to the Early Voting Clerk. If you are faxing or emailing this form on or near the deadline to apply for a Ballot by Mail, you must send the original hardcopy so that the Clerk receives it no later than the fourth business day after the day the Clerk received your email or fax. Original signatures are required on both the fax or email image and the physical hard copy. Electronic signatures are not permitted. **THE HARDCOPY OF THIS APPLICATION MUST BE RECEIVED BY THE EARLY VOTING CLERK AND MEET ALL LEGALLY REQUIRED DEADLINES.** Please read the instructions on the back of this form completely. If you have any questions, please call the Early Voting Clerk in your county of registration or the office of the Texas Secretary of State at 1-800-252-8683 or log on to www.sos.texas.gov for a list of County Early Voting Clerks and their email and physical addresses.

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

Name: _____
 Last, First, Middle Suffix (Jr., Sr.)

Address: _____
 Residence Address as shown on your Voter Registration Certificate City State Zip Code
Optional Information Section: Providing this information is helpful to the Early Voting Clerk but not required.

VOID # _____ Pct. # _____ Telephone #: (_____) _____

Email : _____ Date of Birth: ____/____/____

2. Mail my Ballot to:

- My Residence Address (as listed on my Voter Registration Certificate)
 - Other Address - You may use the Other Address line only if the other address fits one of the categories below.
- My Other Address is: (Check one)**
- The mailing address listed on my Voter Registration Certificate
 - Address Outside the County (voters absent from the county)
 - Hospital, Nursing Home, Long-Term Care Facility, Retirement or Assisted Living Center or a Relative _____ (Indicate relationship)
 - Address of the Jail/Civil Commitment Facility or a Relative _____ (Indicate relationship)

Address _____ City, State Zip Code

3. Reason For Voting by Mail:

- 65 Years of Age or Older
- Disability (as defined in Texas Election Code 82.002(a), see instruction on reverse) By checking this box, "I affirm that I have a sickness or physical condition that prevents me from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring my health."



Reviewing ABBMs



Reviewing an ABBM

1. Voter Information: Please print all information clearly and legibly	YOU MUST PROVIDE ONE of the following numbers
Name: _____ <small>Last, First Middle Suffix (Jr., Sr.)</small>	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#) _____
Residence Address as shown on your Voter Registration Certificate Address: _____ <small>Street Apt. # (if any) City State Zip Code</small>	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 _____
Optional Information: Providing this information is helpful to the Early Voting Clerk, but not required.	<input type="checkbox"/> I have not been issued a Texas Driver's License/Texas Personal Identification Number/Texas Election Identification Certificate or Social Security Number
Date of Birth: ____/____/____ VUID #: _____ Pct #: _____	
Email: _____ Tel. #: _____	

Box 1: Per Section 84.002, the applicant's name and the address at which the applicant is registered to vote must be included on the ABBM. If the voter's VUID, precinct number, telephone number, email address, and date of birth are not included on the application, this is not fatal to the application.



Reviewing an ABBM

<p>1. Voter Information: Please print all information clearly and legibly</p> <p>Name: _____ <small>Last, First, Middle Suffix (Jr., Sr.)</small></p> <p>Residence Address as shown on your Voter Registration Certificate</p> <p>Address: _____ <small>Street Apt. # (if any) City State Zip Code</small></p> <p>Optional Information: Providing this information is helpful to the Early Voting Clerk, but not required.</p> <p>Date of Birth: ____ / ____ / ____ VUID #: _____ Pct #: _____</p> <p>Email: _____ Tel. #: _____</p>	<p>YOU MUST PROVIDE ONE of the following numbers</p> <p>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#)</p> <p>_____</p> <p>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</p> <p>_____</p> <p><input type="checkbox"/> I have not been issued a Texas Driver's License/Texas Personal Identification Number/Texas Election Identification Certificate or Social Security Number</p>
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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
- Provide an indication that they have not been issued either number
- **The number provided MUST be validated off of the voter's voter registration record. If the number is missing or incorrect on the ABBM, the voter will have the opportunity to correct this defect either by submitting a new ABBM or through the Ballot by Mail Tracker. --- More details to follow on this!**
- **NEW - Notice of Rejected ABBM for missing or incorrect personal identification number**



Frequently Asked Questions

Question: The EV clerk received a timely ABBM for an upcoming election from a voter who is not currently registered to vote in the county/political subdivision. Can the EV clerk process the application and send the voter a ballot by mail?

Answer: The application must be rejected and the voter must be sent a Notice of Rejected Application for Ballot by Mail if the voter is not registered in the county/political subdivision and the voter registration records reflect that the voter will not have an effective voter registration by election day in the county/political subdivision. Pursuant to Section 13.143 of the Code, a voter registration is effective for purposes of early voting if it will be effective on election day. As such, if the voter registration records reflect that the voter's registration will be effective by election day, and the single-use ABBM or Annual ABBM contains the required information, the application should be processed and the voter should be sent a ballot by mail.



Frequently Asked Questions

Question: What if the residence address the voter provided on the ABBM is different from the residence address at which the voter is registered?

Answer: As long as the voter is registered in the political subdivision holding the election, **and** as long as the address on the ABBM is also within that county (or political subdivision), then the EV clerk should process the ABBM (if the voter is otherwise eligible to vote in the election) and send the voter a Statement of Residence along with the balloting materials. If the addresses do not meet this criteria, then the EV clerk must reject the ABBM (or forward it to the correct EV clerk, if applicable). When mailing a ballot to the voter, the EV clerk must make a notation on the carrier envelope that a Statement of Residence is included so that the early voting ballot board knows to look for the Statement of Residence with the marked ballot; the early voting ballot board cannot count that ballot if the Statement of Residence is not returned by the voter.



Frequently Asked Questions

Question: It appears the voter may have recently gotten married/divorced and is now using a different last name on the ABBM than the last name the voter is registered to vote with. May the application be accepted?

Answer: If the EV clerk is able to confirm that the individual is a registered voter of the political subdivision, then the ABBM should not be rejected. However, if possible, the voter should be advised that there may be a problem later when the early voting ballot board (EVBB) reviews the name on the carrier envelope compared to the name on the list of registered voters. There is a possibility that the EVBB will reject the ballot. If possible, the EV clerk should contact the voter and have the voter update their information as to the name change. Once updated, the EV clerk can process the ABBM.



Reviewing an ABBM

2. Mail my Ballot to:

My Residence Address (as listed on my Voter Registration Certificate)

Other Address - You may use the Other Address line only if the other address fits one of the categories below.

Address	Apt. # (if any)	City	State	Zip Code
My Other Address is: (Check one)				
<input type="checkbox"/> The mailing address listed on my Voter Registration Certificate				
<input type="checkbox"/> Address Outside the County (voters absent from the county)				
<input type="checkbox"/> Hospital, Nursing Home, Long-Term Care Facility, Retirement or Assisted Living Center or a Relative				(Indicate Relationship)
<input type="checkbox"/> Address of the Jail/Civil Commitment Facility or a Relative				(Indicate Relationship)

Box 2: For an application for a ballot to be voted by mail on the grounds of age or disability, the ABBM must include the address of the hospital, nursing home or other long-term care facility, or retirement center, or of a person related to the applicant within the second degree by affinity (by marriage) or the third degree by consanguinity (by blood) if the mailing address is different from the residence address.

For an application for a ballot by mail on the ground of absence from the county of residence, the application must include the address outside the applicant’s county of residence to which the ballot is to be mailed.

For an application for a ballot by mail on the ground of confinement in jail, the application must include the address of the jail or of a person related to the applicant within the second degree by affinity or the third degree by consanguinity.

For an application for a ballot to be voted by mail on the ground of involuntarily civil commitment, the address of the facility operated by or under contract with the Texas Civil Commitment Office or of a person related to the applicant within the third degree by consanguinity.

Section 84.002, Texas Election Code



Frequently Asked Questions

Question: A voter submitted an ABBM to vote a ballot by mail on the ground of disability/age. The mailing address provided on the application is not the mailing address listed on the voter's registration certificate. The voter did not make a selection in Box No. 2 of the official state application indicating whether the mailing address is that of a hospital, nursing home or other long-term care facility, retirement center, or of a person related to the voter. Should the application be rejected?

Answer: Yes, the application must be rejected because the mailing address on the application differs from the mailing address on the voter's registration certificate. Pursuant to Section 84.002 of the Code, an application for a ballot to be voted by mail on the grounds of age or disability must include the address of the hospital, nursing home or other long-term care facility, or retirement center, or of a person related to the applicant within the second degree by affinity or the third degree by consanguinity, as determined under Chapter 573, Government Code, if the applicant is living at that address and that address is different from the address at which the applicant is registered to vote.



Frequently Asked Questions

Question: A voter submitted an ABBM to vote a ballot by mail on the ground of being confined in jail. However, the voter provided the residence mailing address at which he/she is registered to vote on the “residence address” portion of the application, instead of providing the address for a jail. The voter included a handwritten note on the application reflecting that the voter is under house arrest. Should the application be rejected?

Answer: No, the application should not be rejected. Section 84.002(a)(4) of the Code requires an early voting ballot application to include, for an application for a ballot to be voted by mail on the ground of confinement in jail, the address of the jail or of a person related to the applicant within the degree described by Section 84.002(a)(3) of the Code. If the voter indicated that he/she is requesting a ballot by mail on the ground of being confined in jail, and included a notation that the voter is under house arrest, the application should be processed and a ballot should be mailed to the voter at the residence address at which he/she is registered to vote.



Reviewing an ABBM

3. Reason For Voting by Mail:

65 Years of Age or Older

Disability (as defined in Texas Election Code 82.002(a), see instructions on reverse) By checking this box, "I affirm that I have a sickness or physical condition that prevents me from appearing at the polling place on Election Day without a likelihood of needing personal assistance or of injuring my health."

Expected to give birth within three weeks before or after Election Day

Expected Absence from the County (You may apply for a ballot for one election and its resulting runoff, if your dates of absence from the county include both elections)

Date you can begin to receive mail at your out of county address: ____/____/____ Date of return to residence address: ____/____/____

Confined in Jail or Involuntary Civil Commitment (You may only apply for a ballot for one election and any resulting runoff)

Box 3: Pursuant to Section 84.002, an ABBM must include an indication of the ground of eligibility for early voting. If the application does not include this information, the application must be rejected.



Frequently Asked Questions

Question: A political subdivision is conducting an election and the EV clerk received a single-use ABBM from a voter due to absence from the county of residence. However, the information on the ABBM reflects that the voter will only be out of the county of residence during the early voting period/or will only be out of the county on election day. Is the voter eligible to receive a ballot by mail?

Answer: No, the voter is not eligible to receive a ballot by mail. Pursuant to Section 84.002(b) of the Code, an application for a ballot to be voted by mail on the ground of absence from the county of residence must indicate that the applicant satisfies the requirements prescribed by Section 82.001. A qualified voter is eligible for early voting by mail if the voter expects to be absent from the county of the voter's residence on election day and during the regular hours for conducting early voting at the main early voting polling place for that part of the period for early voting by personal appearance remaining after the voter's early voting ballot application is submitted to the EV clerk.



Frequently Asked Questions

Question: May a voter under 65 years of age submit an Annual ABBM if the voter will turn 65 before the first election in which he/she will vote by mail?

Answer: Yes. Pursuant to Section 82.003, a voter must be “65 years of age or older on election day” to vote early by mail.



Frequently Asked Questions

Question: The EV clerk received a single-use ABBM from a voter who is confined in jail. The application was personally delivered to the EV clerk by a person from the jail authority. May the application be processed and a ballot mailed to the voter?

Answer: Yes, pursuant to Section 84.009, the application may be processed and a ballot mailed to the voter. On request of the applicant, an application for a ballot to be voted by mail on the ground of confinement in jail may be submitted to the EV clerk, at the discretion of the authority in charge of the jail, by personal delivery by the jail authority or by a designated subordinate of the authority.



Reviewing an ABBM

<p>4. Send me a Ballot for the Following Elections:</p> <p><input type="checkbox"/> Annual Application — Send me a ballot for all Elections in this voting year (January – December) Annual Applications only available for voters 65 and older and voters with disabilities. You must select a party if you wish to vote in a primary. Select only one party's primary and its resulting runoff.</p> <p>Primary Election (even numbered years only)</p> <p><input type="checkbox"/> Democratic Primary <input type="checkbox"/> Any Resulting Runoff</p> <p><input type="checkbox"/> Republican Primary <input type="checkbox"/> Any Resulting Runoff</p> <p><input type="checkbox"/> Do Not Send me a Primary Ballot</p>	<p>OR</p>	<p>Uniform Election Dates</p> <p><input type="checkbox"/> November Election <input type="checkbox"/> May Election (not a primary runoff)</p> <p><input type="checkbox"/> Other Special Election _____</p> <p><input type="checkbox"/> Any Resulting Runoff name or date of special election, if known</p> <p>Primary Election (even numbered years only)</p> <p><input type="checkbox"/> Democratic Primary <input type="checkbox"/> Any Resulting Runoff</p> <p><input type="checkbox"/> Republican Primary <input type="checkbox"/> Any Resulting Runoff</p> <p><i>(Voters who are absent from the county or confined in jail/civilly committed may only apply for one election and its resulting runoff)</i></p>
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Box 4: Per Section 84.002, an early voting ballot application must include, for an application for a ballot to be voted by mail on any ground, an indication of each election for which the applicant is applying for a ballot. However, there are some exceptions to this. Please see the following FAQs for examples.



Frequently Asked Questions

Question: What if a voter does not check *any* boxes indicating for which election(s) he/she wishes to receive a ballot?

Answer: It depends on the elections within that calendar year. If the Annual ABBM voter did not select any elections during a primary election year, e.g. 2022, and the voter did not select which party's ballot he/she would like to receive, the EV clerk should reject the ABBM for purposes of the primary election, but otherwise process the application as an Annual ABBM. The EV clerk should notify the voter of the rejection of the ABBM as it applies to the primary election, but also check the box that indicates the application will be considered an Annual ABBM. [Secs. 86.0015, 86.001] If it is an odd-numbered year, e.g. 2021, and the Annual ABBM voter did not select any elections, the application would be considered an Annual ABBM and processed accordingly. [Sec. 86.0015(a)]



Frequently Asked Questions

Question: What if a voter submitted an application on the ground of age or disability but did not select the “Annual Application” option on the form and only requested a ballot for the primary election and the general election for state and county officers (during a primary election year). Specifically, the voter opted not to mark the May Uniform election date.

Answer: If a voter only requested a mail ballot for selected elections but did not select the annual option on the form, in this case the primary election and the general election for state and county officers, you would NOT treat this as an Annual ABBM. Instead, you would treat this as a request for the specific elections identified by the voter.



Frequently Asked Questions

Question: The EV clerk received a single-use ABBM from a voter but the voter did not indicate that he/she wanted a ballot for any resulting runoff. Our political subdivision is conducting a runoff election. Should a ballot be mailed to the voter for the runoff election?

Answer: No, a ballot should not be mailed to the voter for the runoff election. An applicant for a ballot to be voted by mail may apply for ballots for the main election and any resulting runoff election on the same application. [Sec. 84.001] However, a ballot for the runoff election should not be mailed to the voter if the voter did not request a ballot for any resulting runoff on the single-use ABBM.



Frequently Asked Questions

Question: The EV clerk received a single-use ABBM from a voter after the deadline for the election. The voter requested a ballot for the main election and any resulting runoff on his/her application. The political subdivision is having a runoff election/second election to resolve a tie. Should the EV clerk mail the voter a ballot for the runoff election/second election to resolve a tie?

Answer: Yes. If an application for the main election and any resulting runoff is not timely for the main election, it will be considered timely for any resulting runoff if received not later than the deadline, determined using the date of the runoff election, for submitting a regular application for a ballot to be voted by mail. [Sec. 84.001(e)]



Reviewing an ABBM

5. Sign Here:

"I certify that the information given in this application is true, and I understand that giving false information in this application is a crime."

X _____ Date: ____/____/____

If applicant is unable to sign or make a mark (in the presence of a witness), the witness must complete the witness portion in Box 6 below. The signature or mark of the voter in the blank above must be an original signature made with a pen and ink. Electronic signatures are not permitted.

If applicant is unable to sign or make a mark (in the presence of a witness), the witness must complete the witness portion in Box 6 below.

Box 5: Per Section 84.001, to be entitled to vote an early voting ballot by mail, an application must be in writing and signed by the applicant. An electronic signature is not permitted. If the application is not dated, this is not fatal to the application.



Frequently Asked Questions

Question: The EV clerk received an application from a voter but it contained a digital signature. May the application be accepted?

Answer: No, the application must be rejected. An application must be in writing and signed by the applicant. An electronic signature is not permitted. [Sec. 84.001] Likewise, a voter's stamped signature is also not permitted.



Reviewing an ABBM

6. If someone helps you complete this form or mails, emails or faxes the form for you, that person must complete the section below.

Instructions for Witnesses and Assistants: See back of this form for the definitions of Witness and Assistant.
Check one or both boxes below if you served as a Witness, an Assistant or both. All information below must be completed!

If the applicant is unable to make a mark, you must check this box and complete all information below. Do not sign for the voter in Box 5.

Witness – If you are acting as a Witness to the applicant’s signature or mark or signing on the applicant’s behalf, you must state your relationship to the applicant here: _____ (Indicate Relationship)

Assistant – If you assisted the applicant in completing this application in the applicant’s presence or mailed/emailed/faxed the application on behalf of the applicant.

Failure to complete this section is a Class A Misdemeanor if applicant’s signature was witnessed or applicant was assisted in completing this application.

X _____
 Signature of Witness/Assistant Printed Name of Witness/Assistant

 Street Address Apt. # (if any) City State Zip Code

Box 6: Per Section 1.011, when the Election Code requires a person to sign an application, the document may be signed for the person by a witness, if the person required to sign cannot do so because of a physical disability or illiteracy. The person who cannot sign must affix the person’s mark to the document or paper, which the witness must attest. If the person cannot make the mark, the witness must state that fact on the document. Per Section 84.003, a person who acts as a witness for an applicant for an ABBM commits an offense if the person knowingly fails to comply with Section 1.011. Further, a person who in the presence of the applicant otherwise assists an applicant in completing an ABBM commits an offense if the person knowingly fails to comply with Section 1.011 in the same manner as a witness.



Frequently Asked Questions

Question: How many Annual ABBMs may a person witness in a calendar year?

Answer: Unless a close relative of the voter (parent, grandparent, spouse, child, or sibling) or an EV clerk or deputy EV clerk, a person may witness one single-use ABBM per election in a calendar year, or one Annual ABBM for the entire calendar year. Note, a violation of this law does not invalidate the ABBM. [Sec. 84.004]



Frequently Asked Questions

Question: May a political campaign pre-fill in certain information for the voter? For example, may the campaign include the voter's name, address, and the fact that the voter is submitting the application on the ground of being 65 years of age or older? Also, if the application is pre-filled by the campaign, must the campaign complete the assistance portion of the application?

Answer: Campaigns may pre-fill in a voter's name, address, and the fact that the voter is submitting the application on the ground of being 65 year of age or older. Assistance is defined as being "in the presence" of the applicant. [Sec. 84.003] Note that candidates or campaigns that send pre-filled ABBMs to voters are not considered to be assistant to those applicants. As such, the campaign is not required to complete the assistance portion of the application.



Frequently Asked Questions

Question: The EV clerk received an ABBM from a voter which reflected that the voter was unable to sign his/her name or make a mark. The witness signed his/her own name but did not provide the witness's residence address/printed name and/or indicate the witness's relationship to the candidate. May the application be accepted?

Answer: No. The application may not be accepted and the EV clerk must mail the voter a Notice of Rejected Application for Ballot by Mail. Per Section 1.011 of the Code, the application may be signed by a witness if the voter cannot sign the application due to physical disability or illiteracy. If the voter cannot sign his/her name, the voter must affix his/her mark to the ABBM, to which the witness must attest. If the voter cannot make the mark, the witness must state that fact on the application. The witness must affix the witness's own signature to the application and state the witness's own name, in printed form. The witness must also state his/her residence address unless the witness is an election officer, in which case the witness must state the witness's official title.



Frequently Asked Questions

Question: The EV clerk received an application that reflects that the voter received assistance in completing the application. However, the assistant did not provide his/her signature/printed name and/or residence address. May the application be accepted?

Answer: Yes, the application may be accepted. Mistakes with respect to completing the assistance portion on an ABBM do not cause rejection of the application. However, a person who in the presence of the applicant otherwise assists an applicant in completing an early voting ballot application commits a Class A misdemeanor offense if the person knowingly fails to comply with Section 1.011(d) of the Code in the same manner as a witness.



Best Practices When Reviewing ABBMs

- The EV Clerk should review the following items on an ABBM:
 - Timeliness
 - Proper Delivery (mail, common/contract carrier, fax, in person by voter, email)
 - Correct Clerk (if not, forward)
 - **Registration Status**
 - **Residence and Mailing Address**
 - Additional Considerations
 - outside county, disability, 65 or older
- Recommend date stamping the application on the date it is received by the EV Clerk



ACCEPTING AND REJECTING ABBMS



Rejecting an ABBM

- Mail/otherwise deliver “Notice of Rejected Application for Ballot By Mail”
 - Two different forms to choose from! One specific to the personal identification numbers.
 - Include a new ABBM if original received on or before **18th** day before election day
 - Friday, October 15, 2021, for November 2, 2021 election
- Keep rejected application in file & attach copy of rejection notice



ABBM Transparency and Public Information

- A copy of an ABBM, including the Annual ABBM, is not available for public inspection (except to the voter whose application it is) until the first business day after the election day of the **EARLIEST** occurring election (rather than latest) for which the application is submitted. (Sec. 86.014(a), as amended).
 - So it's available after the first election, rather than the last.
 - Originals of any ABBMs and Carrier Envelopes are not available for public inspection until those materials are delivered to the custodian after the election. (Sec. 86.014(b)).
- **Early Voting Rosters**
 - Information on the early voting roster for a person to whom a ballot has been mailed is not available until the 1st business day after election day. [Sec. 87.121(f)]
 - Except to a voter seeking to verify the accuracy of his or her own ballot by mail. [Sec. 87.121(f)]
 - Except - name of a voter who voted by mail is available no later than the day following the day the early voting clerk receives the ballot. [Sec. 87.121(h)]



Questions?

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