

EARLY/ABSENTEE VOTING

Can I vote before Election Day? Yes. There are two ways to vote before Election Day: early voting or absentee voting.

How do I vote early? A person may early vote by casting a ballot in person at an early voting center. The early voting period begins October 18, 2010 and ends on October 29, 2010. Check your local newspaper or call your county clerk or elections administrator for specific hours and locations. [TEX. ELEC. CODE § 82.005.]

How do I absentee vote? Absentee voting is possible by mail. If you'll be absent on Election Day, are disabled, 65 years or older, or in jail but eligible to vote, you can request a ballot by mail. You have to submit an application or written request that is received (not postmarked) by your county's early voting clerk no later than October 26, 2010. To get an application go to: <http://w03web.sos.state.tx.us/vrrequest/bbm.asp>. [TEX. ELEC. CODE § 82.001-82.004.]

VOTER ID

Do I have to show voter ID? Yes, but you don't need a photo ID. State law requires all voters show their voter registration certificate or some other form of identification before receiving a ballot. The voter registration certificate will be sufficient for admittance. Without the certificate, you must provide another form of identification. [TEX. ELEC. CODE § 63.001; 63.008; 63.0101.]

What are accepted forms of ID? Accepted forms include: (1) a voter registration certificate; (2) a driver's license or photo ID card; (3) a birth certificate; (4) U.S. citizenship papers; (5) a U.S. passport; (6) official mail addressed to you from a government entity (either state or federal); or (7) a copy of a utility bill, paycheck, bank statement, government check, or other government document with your name and address. [TEX. ELEC. CODE § 63.0101.]

What if I don't have any ID? You can cast a provisional ballot, but that ballot probably won't be counted. If you have time and have ID at home or work, it's usually better to get your ID and return to the polls to cast a regular ballot. To cast a provisional ballot, you will also be required to sign an affidavit. [TEX. ELEC. CODE § 63.011.]

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DISABILITIES/ACCESSIBILITY

What if my polling place is not physically accessible?

- If you find this out before Election Day, call the Secretary of State or your county clerk right away and ask for an accommodation. You have the right to an accessible polling place and an accessible voting machine.
- Or, if you prefer, you can vote early in person at an early voting center or by mail using a mail-in ballot. All early voting centers must be accessible to the elderly and people with disabilities.
- During the early voting period and on Election Day, you can also use curbside voting. Send someone into the polling place or early voting center to request curbside voting on your behalf. Poll workers will bring a ballot or voting machine outside so you can vote.
- You can also bring one or more people to assist you. You have the right to have anyone you choose assist you as long as the person is not your employer, an agent of your employer, or an officer or agent of your labor union. [TEX. ELEC. CODE § 43.034; 64.031.]

TIPS FOR AVOIDING PROBLEMS

- Vote early in the day to avoid a last minute rush.
- Bring your voter registration card and some form of identification (photo ID, passport, a utility bill or bank statement with your name and address).
- Read all instructions carefully.
- Ask for help if you need it.
- Take your time.

IF PROBLEMS, CONTACT:

- Texas Secretary of State: (800) 252-8683 • U.S. Department of Justice: (800) 253-3931
- ACLU Voting Rights Project: (877) 523-2792 • ACLU of Texas: www.aclutx.org
• www.votingrights.org



ACLU of Texas | P.O. Box 12905 | Austin, TX 78711
T/512.478.7300 | F/512.478.7303 | www.aclutx.org

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2010 Texas
VOTER
Empowerment card

Texas Secretary of State
(512) 463-5650
ACLU of Texas
www.aclutx.org

VOTING ON ELECTION DAY

When is Election Day? Tuesday, November 2, 2010. Register to vote by Monday, October 4, 2010.

When are the polls open on Election Day? Polling places will be open from 7:00 a.m. to 7:00 p.m. You have the right to vote if you're in line or inside your polling place when the polls close. [TEX. ELEC. CODE § 41.032.]

Where do I vote on Election Day? On Election Day, you have to vote at the polling place to which you're assigned. Your assigned polling place will be listed on the voter certificate that you should receive in the mail when you register.

• If you don't have your certificate, call your local voter registrar's office or look online: <https://voterinfo.sos.state.tx.us/voterws/viw/faces/Introduction.jsp>. You can also call the Elections Division of the Texas Secretary of State toll-free at 1-800-252-VOTE (8683) for more information.

Can I get time off from work to vote? Maybe. If your work schedule would prevent you from voting in person while the polls are open, you have the right to take time off from work in order to vote. It is unlawful for your employer to deny you reasonable time off work, with pay, if you have less than two consecutive hours within which to vote before or after your shift. [TEX. ELEC. CODE § 276.004.]



2010 Texas
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WHO CAN VOTE

Can I vote in Texas? You can vote in the November 2 election if you're registered to vote by Monday, October 4, 2010. You can register if you meet all of the following qualifications: (1) you're a U.S. citizen; (2) you're a resident of Texas and the county where you intend to vote; (3) you'll be at least 18 years old on Election Day; (4) you haven't been convicted of a felony (unless you've had your voting rights restored); (5) you haven't been declared by a court to be mentally incompetent. [TEX. ELEC. CODE § 11.002.]

What if I'm a student? You can register to vote at whatever address you regard as your permanent home to which you intend to return after any temporary absence. This can be your school address or your home address. [TEX. ELEC. CODE § 1.015.]

What if I've been convicted of a crime?

• **Misdemeanor.** If you were convicted of a misdemeanor, you can vote, but you have to vote by absentee ballot if you're still in jail. To receive an absentee ballot to mail, go to: <http://w03web.sos.state.tx.us/vrrequest/bbm.asp>.

• **Felony.** If you were convicted of a felony in Texas, you can vote if you're not currently incarcerated or on probation or parole. Your right to vote is automatically restored when you complete your sentence, but you must remember to register again. Pick up a voter registration application, fill it out, and mail it at least 30 days before the election date.

• **Out-of-state felony.** If you have an out-of-state felony conviction, you can vote in Texas if your right to vote was restored in the state where you were convicted.

• **Federal felony conviction.** If you have a federal felony conviction, you can't vote unless you've had your voting rights restored by the governor of Texas. [TEX. ELEC. CODE § 11.002.]

What if I'm homeless? You don't need a home to register, but you do have to identify a place of residence (which can be a street corner, a park, a shelter, or any other place where you usually stay). You also have to identify a mailing address. You may want to use the address of a local advocacy organization, shelter, or outreach center, or anywhere else willing to accept mail on your behalf. [TEX. ELEC. CODE § 1.005(17); 13.001(5); 63.001.]

PROBLEMS AT THE POLLS

How do I make a complaint? First, ask to speak to an election judge at your polling place. He or she can handle most routine complaints that arise on Election Day. Candidates, political parties, and nonprofit groups may also have poll watchers at your polling place who might be able to assist you. [TEX. ELEC. CODE § 33.001-33.061.] If any of those people ask you who you voted for, or if they can't resolve your complaint, call your local voter registrar's office or the Secretary of State.

• You can also call one of the election hotline numbers listed at the end of this card or make a complaint online at <http://www.votingrights.org>.

Can I get my ballot in my native language? You have the right to assistance in Spanish if you live in a county with a Spanish speaking population of five percent or more. [TEX. ELEC. CODE § 272.002.] If you vote in El Paso and Maverick Counties, you also have the right to assistance in certain Native American languages, and if you vote in Harris County, you have the right to assistance in Vietnamese. Poll workers are required to offer this assistance to you. If they don't, tell a poll worker that you want assistance in one of these languages. You're entitled to translation of all ballots and other election materials. [42 U.S.C. § 1973; 67 Fed. Reg. 48,871.]

• If you need language assistance, bring an interpreter with you to the polls. You have a right to bring an interpreter with you to communicate with poll workers and to translate the ballot. [TEX. ELEC. CODE § 62.0115(5).]

What if I need help in the voting booth? If you need help because of a physical disability or because you can't read the ballot, tell a poll worker when you get to your polling place. You have the right to vote on an accessible voting machine. You also have the right to have anyone you choose assist you in the voting booth, including a poll worker, as long as the person is not your employer, an agent of your employer, or an officer or agent of your labor union. [TEX. ELEC. CODE § 64.032.]

• If you need instructions on how to use the voting equipment, ask a poll worker for help. Poll workers are required to help you at any time you ask—even after you've entered the voting booth.

PROBLEMS AT THE POLLS

What if I'm not on the voter list? Ask a poll worker to check the list again and to confirm that you're at the right polling place for your address. If you're at the right polling place but your name isn't on the voter list, ask for a provisional ballot. You have the right to cast a provisional ballot even if your name is not on the voter list, as long as you're willing to swear that you believe you registered to vote. After you fill out a simple affidavit (printed on an envelope), you will receive a provisional ballot. An election officer will record the number of the ballot in the required space on the affidavit. Place your provisional ballot inside the envelope to be mailed. [TEX. ELEC. CODE § 63.009(a); 63.011.]

What if I go to the wrong polling place? Go to the right polling place. You can ask a poll worker to help you find the polling place where you're registered. You can also call your local voter registrar's office or look up your polling place online at <https://voterinfo.sos.state.tx.us/voterws/viw/faces/Introduction.jsp>.

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What if I make a mistake on my ballot or the voting machine malfunctions? Tell a poll worker before you cast your vote. If you spoil a paper ballot, you have the right to up to two replacement ballots as long as you catch your mistake before you cast your ballot. [TEX. ELEC. CODE § 64.007.] If your voting machine malfunctions, you can request a different machine. [TEX. ELEC. CODE § 125.006.]

What if someone tries to intimidate or harass me? Tell a poll worker right away. If the poll worker is the problem, tell a poll watcher, call your local voter registrar's office, call one of the election hotline numbers listed at the end of this card, or make a complaint online at <http://www.votingrights.org>.

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