

June 27, 2020

Dear Election Officials:

As we prepare for the beginning of Early Voting for elections occurring on July 14, 2020, we wanted to provide you with a few reminders and address a few issues we have received questions about.

1. Face Covering Requirements:

- a. **Voters:** Masks are strongly recommended, but not required for use in the polling place by a voter. If a local entity has a policy or ordinance requiring masks, voters will still be able to enter the polling place without a mask. Voters should not be turned away. You may want to have extra disposable masks available to offer to those voters who wish to vote, but do not have a mask.
- b. **Poll watchers:** Masks are strongly recommended, but not required for use in the polling place by a poll watcher. However, the SOS recommends that you establish guidelines for the use of masks by poll watchers if they will be within 6 feet of voters or workers. If you establish expected use guidelines, you should inform a poll watcher of those guidelines when the poll watcher presents themselves for service. If a poll watcher refuses to wear a mask and is getting within 6 feet of voters or workers, the presiding judge may address the issue through their authority to preserve order (Section 32.075).

2. Screening Voters at Polling Places: If your polling place is in a building that is screening patrons for signs or symptoms of COVID-19 before entering the building, please be advised that voters cannot be screened or denied entrance to the polling place for refusing a screening. If necessary, you may want to have voters use a separate entrance to the building, provided that the entrance is ADA-accessible. Alternatively, if there is a line to enter the location, consider forming a separate line for voters.

3. Voter ID Requirements: There are several items from our prior Voter ID training presentations that we wanted to reiterate in advance of the upcoming primary runoff election.

- a. **Address on Identification:** The address on the voter's Identification does NOT have to match the address on the list of registered voters.
- b. **Out-of-State Driver's License:** An out-of-state driver's license can be utilized as a List B Identification for those voters who do not possess and cannot reasonably obtain a List A Identification. The out-of-state license can be current or expired, and the voter can present the original or a copy of the license. The voter showing an out-of-state driver's license must also complete the Reasonable Impediment Declaration.

4. Last Minute Changes in Polling Locations: If you have any last minute changes in your polling locations, please remember to update your posted election notices, including any website information that contains your locations. Please also remember to update your polling locations in TEAM.

5. Election Worker Changes: If both the presiding judge and alternate judge are unavailable to serve and this is discovered after the 20th day before election day (June 24, 2020), the presiding officer of the appointing authority (party chair), or if the presiding officer is unavailable, the authority responsible for distributing supplies for the election, shall

appoint a replacement judge. Additionally, if the authority is unable to find an election judge who is a qualified voter of the specific precinct needing a judge, the authority may appoint individuals that meet the eligibility requirements of an election clerk which encompasses a broader territory. For a primary election, this authority lies with the County Chair of the Political Party. For a joint primary, it's the County Election Officer.

6. **Student Election Clerks:** We've been asked whether a student who has graduated from High School, but is not yet 18 years old, is eligible to serve as a [student election clerk](#) since they are not currently enrolled in school. The answer to this question is yes, the individual can serve as a student clerk. If a student is no longer enrolled in school as a result of graduating, but is not yet 18 years old (so they are unable to serve as a regular election clerk), the individual would qualify for service as a student election clerk during early voting or election day. You will not need the principal's approval, as the student has graduated. You always need parent or guardian approval.
7. **Activities in the Vicinity of the Polling Place:** As a reminder, Advisory [2020-06](#) provides guidance on certain activities in the vicinity of the polling place, including electioneering, the use of firearms, cell phones, and exit polling.
8. **Pre-Approved Polling Place Signs:** Many election offices have submitted customized signs for use in the polling place that provide instructions related to COVID-19 and their specific county procedures. For those counties that do not need county-specific language, we have signs prescribed by our office you can use for signs in or around the polling location related to health protocols. We also provided several options for curbside voting. Additionally, we've attached the signs in a word document if you would like to use our prescribed language but still customize the signs to fit your county needs.
9. **Contingency Plans for Election Offices:** It is critical that you take time to establish contingency plans for your own office in case you or someone in your office is affected by COVID-19. As part of your contingency plans, we would suggest you consider addressing potential COVID-19 issues in any Incident Response Plans or Continuity of Operations Plans you may have. Additionally, you should look at reviewing your Central Counting Station plan (if applicable) to address any relevant procedures or guidelines related to COVID-19. As a reminder, the SOS has a template for an Incident Response Plan and a Continuity of Operations Plan on our DocShare site.
10. **Early Voting Rosters:** All early voting rosters must be made available in a downloadable format on the SOS website during early voting. Voting history should be updated/imported by midnight of each day.
11. **[COVID-19 Resources for Election Officials:](#)** Our COVID-19 resources can be found on this [webpage](#) that we have created to assist you in preparing for your elections. Additionally, we have provided links to a number of other resources that may be helpful with respect to running an election during our current public health crisis. The attached signs will also be posted on this website.

Please do not hesitate to contact us with any additional questions or concerns you may have. We appreciate all of your hard work in preparing for this upcoming election.

Thank you,

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For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.