

By: Guillen

H.B. No. 521

A BILL TO BE ENTITLED

1 AN ACT
2 relating to accommodating voters with a disability; creating
3 criminal offenses.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 64.009, Election Code, is amended by
6 amending Subsections (f), (g), and (h) and by adding Subsections
7 (a-3), (b-1), (i) and (j) to read as follows:

8 Sec. 64.009. VOTER UNABLE TO ENTER POLLING PLACE. (a) If a
9 voter is physically unable to enter the polling place without
10 personal assistance or likelihood of injuring the voter's health,
11 on the voter's request, an election officer shall deliver a ballot
12 to the voter at the polling place entrance or curb.

13 (a-1) At each polling place an area for parking not smaller
14 than the size of one parking space shall be reserved for voting
15 under this section. The area may not be designated specifically for
16 persons with disabilities. The area must be clearly marked with a
17 sign:

18 (1) indicating that the space is reserved for use by a
19 voter who is unable to enter the polling place; and

20 (2) displaying, in large font that is clearly readable
21 from a vehicle, a telephone number that a voter may call or text to
22 request assistance from an election officer at the polling place.

23 (a-2) As an alternative to displaying a telephone number
24 under Subsection (a-1)(2), a parking space may comply with the

1 requirements of this section by providing the voter with a button or
2 intercom that the voter may use to request assistance from an
3 election officer.

4 (a-3) Except as provided by Subchapter B, an election
5 officer who delivers a ballot to the voter at the polling place
6 entrance or curb may not provide assistance in marking the ballot.

7 (b) The regular voting procedures, except those in
8 Subchapter B, may be modified by the election officer to the extent
9 necessary to conduct voting under this section.

10 (b-1) Prior to delivering a ballot to the voter making the
11 request under Subsection (a), the voter shall take the following
12 oath and sign a form acknowledging the oath: "I affirm under penalty
13 of perjury that I am requesting to vote curbside and that I am
14 physically unable to enter the polling place without personal
15 assistance or likelihood of injuring my health."

16 (c) After the voter is accepted for voting, the voter shall
17 mark the ballot and give it to the election officer who shall
18 deposit it in the ballot box.

19 (d) On the voter's request, a person accompanying the voter
20 shall be permitted to select the voter's ballot and deposit the
21 ballot in the ballot box.

22 (e) Except as provided by Section 33.057, a poll watcher is
23 entitled to observe any activity conducted under this section.

24 (f) A person who, during the early voting period and on
25 election day, [~~simultaneously~~] assists seven or more voters voting
26 under this section by providing the voters with transportation to
27 polling place must complete and sign a form, provided by an election

1 officer, that contains the person's name and address and whether
2 the person is providing assistance solely under this section or
3 under both this section and Subchapter B.

4 (f-1) Subsection (f) does not apply if the person is related
5 to each voter within the second degree by affinity or the third
6 degree by consanguinity, as determined under Subchapter B, Chapter
7 573, Government Code.

8 (g) A form completed under Subsections (b-1) and (f) shall
9 be delivered to the secretary of state as soon as practicable. The
10 secretary shall retain a form delivered under this section for the
11 period for preserving the precinct election records and shall make
12 the form available to the attorney general for inspection upon
13 request.

14 (h) The secretary of state shall prescribe the forms
15 described by Subsections (b-1) and (f).

16 (i) A person commits an offense if the person knowingly
17 fails to complete the form required by Subsections (b-1) and (f).

18 (j) An offense under this section is a Class A misdemeanor.

19 SECTION 2. Section 64.0322(a), Election Code, is amended by
20 amending Subsection (a) and adding Subsections (c), (d), and (e) to
21 read as follows:

22 Sec. 64.0322. SUBMISSION OF FORM BY ASSISTANT. (a) A
23 person [~~other than an election officer,~~] who assists a voter in
24 accordance with this chapter is required to complete a form
25 stating:

26 (1) the name and address of the person assisting the
27 voter;

1 (2) the relationship to the voter of the person
2 assisting the voter; ~~and~~

3 (3) whether the person assisting the voter received or
4 accepted any form of compensation or other benefit from a
5 candidate, campaign, or political committee; and

6 (4) whether the person assisted seven or more voters
7 voting under this subchapter during the early voting period and on
8 election day.

9 (b) The secretary of state shall prescribe the form required
10 by this section. The form must be incorporated into the official
11 carrier envelope if the voter is voting an early voting ballot by
12 mail and receives assistance under Section 86.010, or must be
13 submitted to an election officer at the time the voter casts a
14 ballot if the voter is voting at a polling place or under Section
15 64.009.

16 (c) A form completed under Subsection (a) shall be delivered
17 to the secretary of state as soon as practicable. The secretary of
18 state shall retain a form delivered under this section for the
19 period for preserving the precinct election records and shall make
20 the form available to the attorney general for the inspection upon
21 request.

22 (d) A person commits an offense if the person knowingly
23 fails to complete the form required by this section.

24 (e) An offense under this section is a Class A misdemeanor.

25 SECTION 3. Section 64.036, Election Code, is amended by
26 amending Subsection (d) and adding Subsection (e) to read as
27 follows:

1 Sec. 64.036. UNLAWFUL ASSISTANCE. (a) A person commits an
2 offense if the person knowingly:

3 (1) provides assistance to a voter who is not eligible
4 for assistance;

5 (2) while assisting a voter prepares the voter's
6 ballot in a way other than the way the voter directs or without
7 direction from the voter;

8 (3) while assisting a voter suggests by word, sign, or
9 gesture how the voter should vote; or

10 (4) provides assistance to a voter who has not
11 requested assistance or selected the person to assist the voter.

12 (b) A person commits an offense if the person knowingly
13 assists a voter in violation of Section 64.032(c).

14 (c) An election officer commits an offense if the officer
15 knowingly permits a person to provide assistance:

16 (1) to a voter who is not eligible for assistance; or

17 (2) in violation of Section 64.032(c).

18 (d) An election officer commits an offense if the officer
19 knowingly provides assistance to a voter in violation of Sections
20 64.032(a) or 64.032(b).

21 (e) [~~(d)~~] An offense under this section is a Class A
22 misdemeanor.

23 SECTION 4. This Act takes effect September 1, 2025.