

## **BILL ANALYSIS**

C.S.S.B. 477  
By: Zaffirini  
Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

While current Texas law allows certain accommodations for voters with disabilities, there is more that can be done to ensure equal access to the ballot box. Stakeholder groups such as the Coalition of Texans with Disabilities, Disability Rights Texas, and the Texas Council for Developmental Disabilities have suggested that these changes could encompass voting in person, curbside voting, and ballot by mail, as well as better informing voters of their rights. C.S.S.B. 477 seeks to address this issue by providing for voters with disabilities to be given voting order priority, reserved parking for curbside voting at each polling place, the online posting of available procedures and accommodations, and the posting of the official application form for an early voting ballot by mail that can be completed online before printing.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.S.B. 477 amends the Election Code to replace the authorization for an election officer to give voting order priority at the polling place to a person with a mobility problem that substantially impairs the person's ability to ambulate with a requirement for the election officer to give such priority. The bill requires notice of the priority to be posted at each entrance to a polling place where it can be read by persons waiting to vote and requires all procedures and accommodations available for voters with disabilities to be posted in an accessible manner on the county clerk's website.

C.S.S.B. 477 establishes that each polling place must reserve an area for parking not smaller than the size of two parking spaces, in addition to any areas designated specifically for persons with disabilities, for voters who are physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health. The area must be clearly marked with a sign indicating that the space is reserved for use by such voters and displaying, in large font that is clearly readable from a vehicle, a telephone number that a voter may call or text to request assistance from an election officer at the polling place. The bill authorizes a parking space to comply with the requirements of the bill's provisions by providing the voter with a button or intercom that the voter may use to request assistance from an election officer as an alternative to displaying a telephone number.

C.S.S.B. 477 requires the early voting clerk to post the official application form for an early voting ballot by mail on the clerk's website in a format that allows a person to easily complete the application directly on the website before printing. The bill requires the secretary of state to provide such a form to the clerk and authorizes the clerk to use either the provided form or the clerk's own form.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 477 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute revises provisions in the engrossed regarding reserved parking for voters unable to enter the polling place without personal assistance or likelihood of injuring the voter's health as follows:

- requires each polling place to reserve an area for such parking not smaller than the size of two parking spaces for voting, whereas the engrossed required each polling place to reserve two parking spaces;
- includes a requirement not present in the engrossed for the sign marking the reserved parking area to display, in large font that is clearly readable from a vehicle, a telephone number that a voter may call or text to request assistance from an election officer at the polling place; and
- includes a provision not in the engrossed that provides for the use of a button or intercom as an alternative to the telephone number for requesting assistance.