

AN ACT

relating to accommodating voters with a disability.

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

SECTION 1. Section 63.0015, Election Code, is amended by amending Subsections (b), (c), and (d) and adding Subsection (f) to read as follows:

(b) An election officer shall ~~[may]~~ accept a person with a mobility problem that substantially impairs a person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived before the person.

(c) Notice of the priority given to persons with a mobility problem that substantially impairs a person's ability to ambulate shall be posted:

(1) at ~~[one or more locations in]~~ each entrance to a polling place where it can be read by persons waiting to vote;

(2) on the Internet website of the secretary of state;

and

(3) on each Internet website relating to elections maintained by a county.

(d) The notice required by Subsection (c) must read: "Pursuant to Section 63.0015, Election Code, an election officer shall ~~[may]~~ give voting order priority to individuals with a mobility problem that substantially impairs the person's ability to move around. A person assisting an individual with a mobility

1 problem may also, at the individual's request, be given voting  
2 order priority. Disabilities and conditions that may qualify you  
3 for voting order priority include paralysis, lung disease, the use  
4 of portable oxygen, cardiac deficiency, severe limitation in the  
5 ability to walk due to arthritic, neurological, or orthopedic  
6 condition, wheelchair confinement, arthritis, foot disorder, the  
7 inability to walk 200 feet without stopping to rest, or use of a  
8 brace, cane, crutch, or other assistive device."

9 (f) All procedures and accommodations available for voters  
10 with disabilities, including voting under Section 64.009, shall be  
11 posted in an accessible manner on the county clerk's Internet  
12 website.

13 SECTION 2. Section 64.009, Election Code, is amended by  
14 adding Subsections (a-1) and (a-2) to read as follows:

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

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

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

25 (a-2) As an alternative to displaying a telephone number  
26 under Subsection (a-1)(2), a parking space may comply with the  
27 requirements of this section by providing the voter with a button or

1 intercom that the voter may use to request assistance from an  
2 election officer.

3 SECTION 3. Subchapter A, Chapter 84, Election Code, is  
4 amended by adding Section 84.0121 to read as follows:

5 Sec. 84.0121. CLERK TO POST APPLICATION FORM ONLINE. (a)  
6 The early voting clerk shall post the official application form for  
7 an early voting ballot on the clerk's Internet website, if the clerk  
8 maintains an Internet website, in a format that allows a person to  
9 easily complete the application directly on the website before  
10 printing.

11 (b) The early voting clerk may use the application form  
12 provided by the secretary of state under Section 84.013 or the early  
13 voting clerk's own application form.

14 SECTION 4. Section 84.013, Election Code, is amended to  
15 read as follows:

16 Sec. 84.013. APPLICATION FORMS FURNISHED BY SECRETARY OF  
17 STATE. (a) The secretary of state shall maintain a supply of the  
18 official application forms for ballots to be voted by mail and shall  
19 furnish the forms in reasonable quantities without charge to  
20 individuals or organizations requesting them for distribution to  
21 voters.

22 (b) The secretary of state shall provide a printable  
23 application for a ballot by mail in a format that complies with  
24 Section 84.0121(a) to the early voting clerk for use under that  
25 section.

26 SECTION 5. Section 104.004(e), Election Code, is amended to  
27 read as follows:

1           (e) If the voter is physically unable to enter the early  
2 voting polling place without personal assistance or a likelihood of  
3 injuring the voter's health, the clerk shall deliver the balloting  
4 materials to the voter at the polling place entrance or curb  
5 following the procedures prescribed by Section 64.009.

6           SECTION 6. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2023.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 477 passed the Senate on April 12, 2023, by the following vote: Yeas 29, Nays 2; and that the Senate concurred in House amendments on May 25, 2023, by the following vote: Yeas 29, Nays 2.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 477 passed the House, with amendments, on May 23, 2023, by the following vote: Yeas 109, Nays 25, four present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor