



Testimony on HB 25,

Proposed Legislation relating to a prohibition on the distribution of an application form for an early voting ballot.

By: Emily Eby, Staff Attorney, Texas Civil Rights Project

Texas House Elections Committee, March 18, 2021

Good morning Chair Cain, Vice Chair González, and Members of the House Elections Committee,

I am here to testify against HB 25.

I believe that the language of the bill is overbroad. There's nothing in HB 25 that allows for widely accepted, noncontroversial means of distributing applications. HB 25 might be read to keep counties from posting applications on their website. It might keep counties from sending applications to registered voters who we know for certain are eligible, like voters who are over 65. Perhaps these provisions can be read in other sections of the Election Code. If so, we'd urge you to include specific references to them here.

HB 25 will not improve election security. It is already illegal to request an absentee ballot if you are not eligible for one. It is a state jail felony to "knowingly provide[] false information on an application for ballot by mail." Many counties offer information on eligibility with the application. The application itself requires you to state your reason for voting by mail. Voters who don't have one of the four approved reasons still may not vote by mail. The only difference between this bill and the existing law is that fewer eligible voters *can* get applications.

This bill also disadvantages voters who do not have printers. Voters can request that their county mail them an absentee ballot, but if the deadline is coming up quick, the surest way to get the application in is to print it out yourself at home. Printers and ink are expensive, which harms lower-income voters. Printers can be hard to set up and operate, which harms older voters and voters with visual or motor disabilities, both of whom are eligible to vote by mail. If the county can proactively provide a voter with an application, no printer is necessary. For these reasons, I am against HB 25 as written. Thank you.