



# TEXAS

## CIVIL RIGHTS

# PROJECT

SB7 CONFERENCE COMMITTEE REPORT WOULD KEEP BAD PROVISIONS FROM THE HOUSE AND ADD THESE NEW EGREGIOUS SUPPRESSION MEASURES:

### **TOP LINE SUMMARY**

- Voter ID for mail ballots
- Kills rides to the polls
- “Show Me Your Papers” to curbside vote
- Requires disabled voters to disclose their reasons for wanting mail ballot
- Requires cameras in election offices at all times (unfunded mandate)
- Adds back the killing of drive thru, 24hr, and mail ballot application prohibitions (and makes them worse!)
- Makes voter registration harder
- Attacks Souls to the Polls by restricting Sunday voting
  
- **Prohibits pre-filling any portion of information on voter registration applications.** (Section 2.01, page 3)
  - Organizations/campaigns send out millions of pre-filled applications during an election cycle, which lead to hundreds of thousands of new registrations. This would completely eliminate this practice.
  - Prohibits offices, including representative district offices, from helping constituents with mail ballot applications. (Section 7.04, page 49, in Election Code Section 276.016(a)(4)).
  
- **“Show me your papers” to Curbside Vote** (Section 6.01, pages 37-38):
  - Requires drivers of three or more voters to fill out onerous new forms
  - Driver and all other passengers must exit the vehicle unless assisting voter, no matter the weather or other conditions, while a poll watcher could enter the vehicle.
  
- **Requires voter ID for mail ballot applications and mail ballot envelopes** (Section 5.03, pages 27-29; Section 5.07, pages 31-32; Section 5.10, pages 33-34)
  - AND requires voter ID number on voter reg app must match number on VBM app (example: if you use SSN # on voter reg app and DL on mail ballot app--mail ballot app must be rejected by county)
  - If voter misses spot to put info on already crowded carrier envelope, ballot automatically rejected.



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- **No drive through early voting, which was used disproportionately by voters of color.** (Section 3.03, page 8; Section 3.12, page 13; Section 3.13, pages 13-14).
- **No extended hours early voting, which was used disproportionately by voters of color** (Section 3.09, pages 10-11; Section 3.10, page 12)
  - Voting must take place no earlier than 6am or later than 9pm
  - Voting *can't* take place before 1pm on Sunday
- **New requirement that Secretary of State must oversee every county's voter rolls and if determines that number of registered voters exceeds number of eligible voters, then increasing enforcement including civil penalties** (Section 2.05, pages 5-7)
  - Eligible voters is not defined and is a constantly changing number. There's no way to determine in real time the number of "eligible voters" in a county. This would give SoS complete latitude to harass county election officials they don't like.
- **Watchers may harass election workers and counties with the threat of litigation if they don't get their way** (Section 4.06, page 18)
  - If the watcher believes they have been "unlawfully prevented or obstructed from the performance of [their] duties," they can seek injunctive relief, a writ of mandamus, and "any other remedy available under law."
- **Imposes a higher standard to be eligible for voting by mail on the ground of disability** (Section 5.01, page 26)
  - Currently, voters must have "a sickness or physical condition that prevents the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter's health." Under CCR SB 7, a voter must be "not capable of appearing at the polling place on election day without needing personal assistance or injuring the voter's health due to the voter's (1) illness; (2) injury; (3) medical confinement ordered by a health care professional; or (4) mental or physical disability."
  - Essentially, the standard changes from requiring some probability of needing personal assistance/suffering personal injury, to requiring that a voter be certain they would need personal assistance/suffer personal injury if they went to the polls.
  - Also, instead of the current requirement that the voter's condition arise generally from "a sickness or physical condition," the condition would have to fall under one of four specific types: 1) an illness; 2) an injury; 3) medical confinement ordered



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by a health care professional; or 4) a mental or physical disability.

- **In vote harvesting causes of action, a litigant may “compel a voter to reveal the voter’s vote” in the same manner as is currently provided for during an election contest.** (Section 7.04, page 48, in Election Code Section 276.015(h))
- **Imposes impossible new standard for election workers to reconcile votes by end of election day.** (Section 4.16, pages 25-26)
- **Removes good house amendment and re-criminalizes unintentional mistakes in rejecting/accepting ballots.** (Section 7.03, pages 43-44)
- **Removes good house amendments which: allowed for curing mail ballot signatures; mail ballot tracking; improving high school voter registration.**
- **Increases criminal penalties from the house version -- reverting to state jail felonies for election officials, and third degree felonies for the new poorly defined/overbroad “vote harvesting services” crime.** (Section 7.01, pages 42-43, in Election Code Section 63.0111(b); Section 7.03, page 44, in Election Code Section 276.013(b); Section 7.04, page 49, in Election Code Section 276.016(b); Section 7.04, page 46, in Election Code Section 276.014(g); Section 8.09, page 59, in Election Code Section 23.301(e))
- **Lowers the standard in an election contest to make it easier for judges to overturn elections.** (Section 8.05, page 54, in Election Code Section 232.063)