

Texas

Voter Registration & Voter List Maintenance Guide

Provided by

VOTER
REFERENCE 
FOUNDATION

Disclaimer: This is a guide to Arizona's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in this guide or the information linked to on the state site.

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Who can I contact with election related questions?

CHIEF STATE ELECTION OFFICER:
SECRETARY OF STATE

Physical Address:

Elections Division
1019 Brazos Street
Austin, TX 78701

Mailing Address:

Elections Division
P.O. Box 12060
Austin, TX 78711-2060

Phone Number:

512-463-5650

Email Address:

elections@sos.texas.gov

Website:

<https://www.sos.state.tx.us/elections/index.shtml>

How do I register to vote?

[Link to register to vote](#)

Sec. 11.002. QUALIFIED VOTER.

(a) In this code, "qualified voter" means a person who:

- (1) is 18 years of age or older;
- (2) is a United States citizen;
- (3) has not been determined by a final judgment of a court exercising probate jurisdiction to be:
 - (A) totally mentally incapacitated; or
 - (B) partially mentally incapacitated without the right to vote;
- (4) has not been finally convicted of a felony or, if so convicted, has:
 - (A) fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or
 - (B) been pardoned or otherwise released from the resulting disability to vote;
- (5) is a resident of this state; and
- (6) is a registered voter.

How do I cancel my voter registration?

If you wish to cancel your Texas voter registration, [contact your local election official](#) for instructions.

Sec. 16.0331. CANCELLATION ON REQUEST BY VOTER.

- (a) A voter desiring to cancel the voter's registration must submit to the registrar a written, signed request for the cancellation. A request may not be submitted by an agent.
- (b) The registrar shall cancel a voter's registration immediately on receipt of a request under Subsection (a).

How is voter list maintenance handled?

Sec. 15.021. NOTICE OF CHANGE IN REGISTRATION INFORMATION BY VOTER.

(a) If a voter discovers incorrect information on the voter's registration certificate or if any of the information becomes incorrect because of a change in circumstances, the voter shall promptly submit to the registrar a written, signed notice of the incorrect information and the corresponding correction.

(b) Except as provided by Subsection (d), the voter shall use the registration certificate or a registration application form as the notice, indicating the correct information in the appropriate space on the certificate or application form unless the voter does not have possession of the certificate or an application form at the time of giving the notice.

(c) The registrar shall retain the notice on file with the voter's registration application. If the correction is a change of the voter's name, the registrar shall file the application under the new name.

(d) A voter may correct information under this section by digital transmission of the information under a program administered by the secretary of state and the Department of Information Resources.

(d-1) If the notice indicates that a voter no longer resides in the county in which the voter is registered, the registrar shall forward the notice and the voter's application for registration to the registrar of the county in which the voter resides. The registrars shall coordinate to ensure that the voter's existing registration is canceled immediately after the voter is registered in the county in which the voter resides in accordance with Subsection (d-2).

(d-2) A registrar who receives a voter's notice and application from another registrar under Subsection (d-1) shall treat it as an original application for registration under Section 13.002, and shall register the voter if the voter resides in the county and is otherwise eligible under Section 13.001.

(e) The secretary of state shall adopt rules to:

(1) approve technologies for submitting changes of registration information by digital transmission under this section; and

(2) prescribe additional procedures as necessary to implement a system for the digital transmission of changes in registration information.

Sec. 15.022. CORRECTION OF REGISTRATION RECORDS.

(a) The registrar shall make the appropriate corrections in the registration records, including, if necessary, deleting a voter's name from the suspense list:

Sec. 15.022. CONTINUED

- (1) after receipt of a notice of a change in registration information under Section 15.021;
 - (2) after receipt of a voter's reply to a notice of investigation given under Section 16.033;
 - (3) after receipt of any affidavits executed under Section 63.006, following an election;
 - (4) after receipt of a voter's statement of residence executed under Section 63.0011;
 - (5) before the effective date of the abolishment of a county election precinct or a change in its boundary;
 - (6) after receipt of United States Postal Service information indicating an address reclassification;
 - (7) after receipt of a voter's response under Section 15.053;
 - (8) after receipt of a registration application or change of address under Chapter 20; or
 - (9) after notification of a data entry error of which the voter registrar is made aware under Section 63.0051.
- (b) At least monthly, the registrar shall request from the United States Postal Service any available information indicating address reclassifications affecting the registered voters of the county.

Sec. 15.028. NOTICE OF UNLAWFUL VOTING OR REGISTRATION.

If the registrar determines that a person who is not eligible to vote registered to vote or voted in an election, the registrar shall, within 72 hours not including weekends after making the determination, execute and deliver to the attorney general, the secretary of state, and the county or district attorney having jurisdiction in the territory covered by the election an affidavit stating the relevant facts.

Sec. 15.051. CONFIRMATION NOTICE.

- (a) If the registrar has reason to believe that a voter's current residence is different from that indicated on the registration records, or that the voter's residence address is a commercial post office box or similar location that does not correspond to a residence, the registrar shall deliver to the voter a written confirmation notice requesting confirmation of the voter's current residence.
- (b) The registrar shall include an official confirmation notice response form with each confirmation notice delivered to a voter.
- (c) The confirmation notice shall be delivered by forwardable mail to the voter's last known address.
- (d) The registrar shall maintain with the voter's record an indication that a confirmation notice was sent to the voter.

Sec. 15.052. OFFICIAL CONFIRMATION NOTICE AND CONFIRMATION NOTICE RESPONSE FORMS.

(a) The officially prescribed form for a confirmation notice must include:

(1) a statement that, if the voter fails to submit to the registrar a written, signed response confirming the voter's current residence on or before the 30th day after the date the confirmation notice is mailed:

(A) the voter is subject to submission of a statement of residence before the voter may be accepted for voting in an election held after that deadline; or

(B) for a notice delivered under Section 14.023, the voter will remain subject to submission of a statement of residence before the voter may be accepted for voting in an election;

(2) a warning that the voter's registration is subject to cancellation if the voter fails to confirm the voter's current residence either by notifying the registrar in writing or voting on a statement of residence before November 30 following the second general election for state and county officers that occurs after the date the confirmation notice is mailed; and

(3) a statement that the voter must include all of the required information on the official confirmation notice response form.

(b) The official confirmation notice response form must:

(1) provide spaces for the voter to include all of the information that a person must include in an application to register to vote under Section 13.002;

(2) describe the requirements of Section 15.054, provide a space for the voter to indicate if the voter is exempt from those requirements, and provide a space to indicate the reason for an exemption, if any;

(3) provide the definition of residence under Section 1.015; and

(4) be postage prepaid and preaddressed for delivery to the registrar.

(c) The registrar may prescribe a different design from that prescribed by the secretary of state for an official form, if approved by the secretary.

Sec. 15.053. RESPONSE TO CONFIRMATION NOTICE.

(a) The voter shall submit to the registrar a written, signed response to the notice that confirms the voter's current residence. The response must contain:

(1) all of the information that a person must include in an application to register to vote under Section 13.002;

(2) a sworn affirmation of the voter's current residence as defined by Section 1.015; and

(3) if the voter's residence address is a commercial post office box or similar location that does not correspond to a residence, evidence of the voter's residence address as required by Section 15.054 or an indication that the voter is exempt from those requirements.

Sec. 15.053. CONTINUED

(b) The voter shall use an official confirmation notice response form for the response unless the voter does not have possession of the official form at the time of making the response.

(c) The registrar shall act on the response in accordance with Section 13.072 and retain the response on file with the voter's registration application.

Sec. 15.052. DEATH.

(a) Each month the local registrar of deaths shall prepare an abstract of each death certificate issued in the month for a decedent 18 years of age or older who was a resident of the state at the time of death. The local registrar of deaths shall file each abstract with the voter registrar of the decedent's county of residence and the secretary of state as soon as possible, but not later than the seventh day after the date the abstract is prepared.

(b) Each month the clerk of each court having probate jurisdiction shall prepare an abstract of each application for probate of a will, administration of a decedent's estate, or determination of heirship, and each affidavit under Chapter 205, Estates Code, that is filed in the month with a court served by the clerk. The clerk shall file each abstract with the voter registrar and the secretary of state as soon as possible, but not later than the seventh day after the date the abstract is prepared.

(c) Once each week, on a day specified by the secretary of state, the vital statistics unit shall furnish to the secretary of state available information relating to deceased residents of the state as provided by Section 191.011, Health and Safety Code, in the form and manner specified by the secretary. Periodically, the secretary shall furnish to the appropriate voter registrars information obtained from the unit that will assist in identifying the deceased registered voters of each county.

(d) The secretary of state shall quarterly obtain from the United States Social Security Administration available information specified by the secretary relating to deceased residents of the state.

(e) The information required to be filed with the secretary of state under this section must be filed electronically. The secretary of state may waive this requirement on application for a waiver submitted by the appropriate entity.

Sec. 16.002. MENTAL INCAPACITY.

(a) Each month the clerk of each court having proper jurisdiction to adjudge a person mentally incapacitated shall prepare an abstract of each final judgment of a court served by the clerk, occurring in the month:

(1) adjudging a person 18 years of age or older who is a resident of the state to be:

(A) totally mentally incapacitated; or

Sec. 16.002. CONTINUED

- (B) partially mentally incapacitated without the right to vote;
 - (2) adjudging the mental capacity of a person 18 years of age or older who is a resident of this state to be completely restored; or
 - (3) modifying the guardianship of a person 18 years of age or older to include the right to vote.
- (b) The clerk shall file each abstract with the voter registrar of the person's county of residence not later than the 10th day of the month following the month in which the abstract is prepared.

Sec. 16.003. FELONY CONVICTION.

Each weekday the Department of Public Safety is regularly open for business, the department shall:

- (1) prepare an abstract of each final judgment received by the department convicting a person 18 years of age or older who is a resident of the state of a felony; and
- (2) file each abstract with the secretary of state.

Sec. 16.004. DISQUALIFICATION IN ELECTION CONTEST.

Not later than the 10th day after the date a judgment in an election contest in which a person is adjudged not to be a qualified voter becomes final, the district clerk shall prepare an abstract of the judgment, which shall include each disqualified person's name, and file it with the voter registrar of each county in which a person adjudged disqualified was registered on the date of the contested election.

Sec. 16.031. CANCELLATION ON OFFICIAL NOTICE OF INELIGIBILITY.

- (a) The registrar shall cancel a voter's registration immediately on receipt of:
- (1) notice under Section 13.072(b), 15.021, or 18.0681(d) or a response under Section 15.053 that the voter's residence is outside the county;
 - (2) an abstract of the voter's death certificate under Section 16.001(a) or an abstract of an application indicating that the voter is deceased under Section 16.001(b);
 - (3) an abstract of a final judgment of the voter's total mental incapacity, partial mental incapacity without the right to vote, conviction of a felony, or disqualification under Section 16.002, 16.003, or 16.004;
 - (4) notice under Section 112.012 that the voter has applied for a limited ballot in another county;
 - (5) notice from a voter registration official in another state that the voter has registered to vote outside this state;

Sec. 16.031. CONTINUED

(6) notice from the early voting clerk under Section 101.053 that a federal postcard application submitted by an applicant states a voting residence address located outside the registrar's county; or

(7) notice from the secretary of state that the voter has registered to vote in another county, as determined by the voter's driver's license number or personal identification card number issued by the Department of Public Safety or social security number.

(b) The registrar shall cancel a voter's registration immediately if the registrar:

(1) determines from information received under Section 16.001(c) that the voter is deceased;

(2) has personal knowledge that the voter is deceased;

(3) receives from a person related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to the voter a sworn statement by that person indicating that the voter is deceased; or

(4) receives notice from the secretary of state under Section 18.068 that the voter is deceased.

Sec. 16.036. NOTICE OF CANCELLATION TO VOTER.

(a) Immediately after, but not later than the 30th day after the date a voter's registration is canceled under Section 16.031(a)(3), 16.033, 16.0331, or 16.0332, the registrar shall deliver written notice of the cancellation to the voter.

(b) The notice shall be delivered by mail to the mailing address on the voter's registration application and to any new address known to the registrar.

(c) The notice must include:

(1) the date of cancellation;

(2) the reason for cancellation; and

(3) a brief explanation of the voter's right to challenge the cancellation and to appeal the registrar's decision.

Sec. 16.091. RIGHT TO CHALLENGE REGISTRATION.

Except as otherwise provided by this subchapter, a registered voter may challenge the registration of another voter of the same county at a hearing before the registrar.

Sec. 16.092. SWORN STATEMENT REQUIRED.

A voter desiring to challenge a registration must file with the registrar a sworn statement of the grounds for the challenge that:

(1) identifies the voter whose registration is being challenged; and

(2) states a specific qualification for registration that the challenged voter has not met based on the personal knowledge of the voter desiring to challenge the registration.

Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST PERIOD.

If on November 30 following the second general election for state and county officers that occurs after the date the voter's name is entered on the suspense list a registered voter's name appears on the suspense list, the registrar shall cancel the voter's registration unless the name is to be deleted from the list under Section 15.022 or 15.023.

Sec. 16.033. CANCELLATION FOLLOWING INVESTIGATION BY REGISTRAR.

(a) The registrar may use any lawful means to investigate whether a registered voter is currently eligible for registration in the county. This section does not authorize an investigation of eligibility that is based solely on residence.

(b) If the registrar has reason to believe that a voter is no longer eligible for registration, the registrar shall deliver written notice to the voter indicating that the voter's registration status is being investigated by the registrar. The notice shall be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar. If the secretary of state has adopted or recommended a form for a written notice under this section, the registrar must use that form.

(c) The notice must include:

(1) a request for information relevant to determining the voter's eligibility for registration; and

(2) a warning that the voter's registration is subject to cancellation if the registrar does not receive an appropriate reply on or before the 30th day after the date the notice is mailed.

(d) Except as provided by Subsection (e), the registrar shall cancel a voter's registration if:

(1) after considering the voter's reply, the registrar determines that the voter is not eligible for registration;

(2) no reply is received from the voter on or before the 30th day after the date the notice is mailed to the voter under Subsection (b); or

(3) each notice mailed under Subsection (b) is returned undelivered to the registrar with no forwarding information available.

(e) A voter's registration may not be canceled under Subsection (d) if the voter's name appears on the suspense list unless the notice mailed to the voter indicated that the registrar had reason to believe that the voter is not eligible for registration because of a ground other than a ground based on residence.

(f) The registrar shall retain a copy of the notice mailed to a voter under this section on file with the voter's registration application. If the voter's reply to the notice is in writing, the registrar shall also retain the reply on file with the application.

Sec. 16.033. CONTINUED

If the reply is oral, the registrar shall prepare a memorandum of the reply, indicating the substance and date of the reply, and shall retain the memorandum on file with the application.

Sec. 16.0331. CANCELLATION ON REQUEST BY VOTER.

(a) A voter desiring to cancel the voter's registration must submit to the registrar a written, signed request for the cancellation. A request may not be submitted by an agent.

(b) The registrar shall cancel a voter's registration immediately on receipt of a request under Subsection (a).

(c) The registrar shall retain the request on file with the voter's registration application.

Sec. 16.0332. CANCELLATION BECAUSE OF CITIZENSHIP STATUS.

(a) After the registrar receives notification under Subsection (a-1) of this section, Section 18.068 of this code, or Section 62.113, Government Code, of persons excused or disqualified from jury service because of citizenship status or notification of persons who indicate a lack of citizenship status in connection with a motor vehicle or Department of Public Safety record as provided by Subsection (a-1), the registrar shall deliver to each registered voter whose name appears on the list a written notice requiring the voter to submit to the registrar proof of United States citizenship in the form of a certified copy of the voter's birth certificate, United States passport, or certificate of naturalization or any other form prescribed by the secretary of state. The notice shall be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar.

(a-1) The secretary of state shall enter into an agreement with the Department of Public Safety under which information in the existing statewide computerized voter registration list is compared against information in the database of the Department of Public Safety on a monthly basis to verify the accuracy of citizenship status information previously provided on voter registration applications. In comparing information under this subsection, the secretary of state shall consider only a voter's information in the database of the Department of Public Safety that was derived from documents presented by the voter to the department after the person's current voter registration became effective, and may not consider information derived from documents presented by the voter to the department before the person's current voter registration became effective.

(b) If a voter fails to submit to the registrar proof of citizenship on or before the 30th day after the date the notice is mailed, the registrar shall cancel the voter's registration.

Sec. 16.0332. CONTINUED

(c) The registrar shall retain a copy of the notice mailed to a voter under this section on file with the voter's registration application. The registrar shall also retain any proof of citizenship received under this section on file with the application.

(d) The secretary of state shall prescribe rules for the administration of this section.

(e) Not later than December 31 of each year, the secretary of state shall provide a report to the legislature of the number of voter registrations canceled under this section during the calendar year.

The National Voter Registration Act of 1993

Congress enacted the National Voter Registration Act of 1993 (also known as the "NVRA" and the "Motor Voter Act"), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

List of voter registrations statuses and their definitions

	Status	Codes	Description	Meaning
ACTIVE	Active	A	Active	Voter is eligible to vote (unless <i>Effective Date</i> of the registration is AFTER current election date)
		AS	Active Pending Street Update	
		AP	Active Pending Update Exception (Confirmation pending- not mailed yet and/or not past 30 days)	
	Suspense	S	Suspense from returned mail	We received returned mail from the address on file.
		S1	Suspense from mass mail out-Undeliverable	
S2		Suspense from normal returned mail		
Challenged	CH	Challenged due to information received which contradicts information on the voter record	Voter must reply to the challenge before voting.	
NOT ACTIVE	Canceled	C	Canceled (all reasons other than those below)	Voter record has been canceled
		CD	Canceled Death	
		CF	Canceled Felon	
		CM	Canceled Mental	
	Not Registered	NR	Not Registered	Incomplete application- info not received in 10 days
		F	Non-registered felon	Same as above, or felony abstract received
	Pending	PSV	Pending State Verification	Application in process
PFR		FPCA Pending State Verification		

How do I file a HAVA complaint?

[Link to HAVA Complaint Process](#)

A person who believes that a violation of Title III of the Help America Vote Act of 2002 has occurred , is occurring, or is about to occur may file a complaint with the secretary of state.

All complaints must:

- (1) be in writing, signed and notarized by the complainant.
- (2) include the full name, telephone number, and mailing address of the complainant.
- (3) include a description of the alleged violation of Title III sufficient to apprise the Secretary of State of the nature and specifics of the complaint.
- (4) include a statement requesting a hearing on the record if desired.

How do I file a non-HAVA election complaint?

[Link to non-HAVA Election Complaint Form](#)

Pursuant to Section 31.006 of the Texas Election Code (the "Code"), the Office of the Secretary of State (the "Secretary of State") has the ability to refer elections complaints to the Office of the Attorney General (the "Attorney General"). If, after receiving a complaint alleging criminal conduct in connection with an election, the Secretary of State determines that there is reasonable cause to suspect that the alleged criminal conduct occurred, the Secretary of State shall promptly refer the complaint to the Attorney General. The Secretary of State shall deliver to the Attorney General all pertinent documents in the Secretary of State's possession.

Any person who believes that a criminal violation of the Code has occurred may file a complaint. In order to initiate the complaint process, a written and signed complaint must be filed with the Secretary of State. The complaint must allege the violation with particularity, identify the person(s) or entity responsible for the alleged violation, and contain a reference to the section of the Code alleged to have been criminally violated, if known.

Who can I contact regarding an election related complaint?

Secretary of State, Elections Division

Physical Address:

Elections Division
1019 Brazos Street
Austin, TX 78701

Mailing Address:

Elections Division
P.O. Box 12060
Austin, TX 78711-2060

Phone Number:

512-463-5650

Email Address:

elections@sos.texas.gov

Website:

<https://www.sos.state.tx.us/elections/index.shtml>