

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

John B. Scott
Secretary of State

ELECTION ADVISORY **NO. 2022-29**

TO: County Elections Officers (County Clerks/Elections Administrators/Tax Assessors-Collectors)

FROM: Keith Ingram, Director of Elections 

DATE: September 9, 2022

RE: Limited Ballot Voters and District Chart (Chapters 111 and 112, Texas Election Code)

A registered voter who has moved from the county in which he or she is registered, to a new county of residence in Texas, and who will not be registered to vote in the new county on or before November 8, 2022, may be eligible to vote a "limited ballot." Limited ballots may be voted in person or by mail in the new county of residence in the upcoming November 8, 2022 Election under the following conditions:

- The person seeking to vote a limited ballot would be eligible to vote in the former county of residence on election day if still residing there;
- The person seeking to vote a limited ballot is registered to vote in the former county of residence at the time the person (1) offers to vote in the new county of residence or (2) applies for registration in the new county; and
- The person's voter registration is not effective in the new county of residence on or before election day.

Time for Casting Limited Ballot

Voters may vote using this limited ballot procedure **only** during the early voting period, which is Monday, October 24, 2022 through Friday, November 4, 2022 for the November 8, 2022 Election.

- **In-Person:** A person may vote a limited ballot in person **only at the main early voting location.**
- **By Mail:** If the voter is requesting a limited ballot by mail, the voter must be eligible under Chapter 82 of the Texas Election Code to vote by mail.

What is on the Limited Ballot

A person entitled to vote a limited ballot may vote on all statewide races and any district offices that are in common between the former and new counties of residence.

The district chart indicates each district race in your county, as well as the district races in other Texas counties. The district chart is a tool to assist you in determining the races for which eligible voters may vote when applying for a limited ballot. The district chart does not detail precincts that are in common if your county contains only part of a district. If a voter moves from one county to another and the county is split by a district, the early voting clerk in the new county should contact the clerk in the old county to determine if the district race is in common. The number under the race name is the district number of the race.

In-Person Procedure for Processing Voter Casting a Limited Ballot

As the Early Voting Clerk, once you have determined that a voter is eligible to cast a limited ballot in-person, please follow these steps for processing a voter:

1. Ask the voter to complete an Application for Limited Ballot.
2. Verify that the person's registration address listed on the Application for a Limited Ballot is located within your county prior to allowing the voter to vote.
3. On the application, indicate the district offices for which the voter is entitled to vote.
4. Prepare the correct ballot for the voter.
5. Cross out any county or precinct offices and any others for which the voter is not eligible.
6. Record the voter's name on the Poll List of Limited Voters rather than having the voter sign the early voting combination form.
7. Add the voter's name to the Restricted Ballot Roster.
8. Provide the voter a limited ballot, and allow the voter to cast the limited ballot. See the next section on casting/counting limited ballots.
9. Forward a copy of the limited ballot application to the voter registrar in your county so the voter will get registered to vote in his/her new county.
10. After the election, notify the voter registrar of the former county that the voter cast a Limited Ballot in your county (Form 5-29). This will allow the voter registrar of the former county to cancel the voter's registration.

NOTE: On election day, the polling place official must inform any voter who requests a limited ballot that this process is not available. If the voter insists on voting, a provisional ballot is the only option.

By Mail Procedure for Processing Voter Casting a Limited Ballot

As the Early Voting Clerk, once you have determined that a voter is eligible to cast a limited ballot, please follow these steps for processing a voter:

1. Ask the voter to complete an Application for Limited Ballot and complete an Application for Ballot by Mail.
2. Instruct the voter to mail them together to the Early Voting Clerk.
3. Upon receipt of the voter's Application for Limited Ballot and Application for Ballot by Mail, you must verify that the person's registration address listed on the Application for a Limited Ballot and Application for a Ballot by Mail are located within your county prior to allowing the voter to vote.
4. Indicate the district offices for which the voter is entitled to vote on the Application for a Limited Ballot.
5. Prepare the correct ballot for the voter.
6. Cross out any county or precinct offices and any others for which the voter is not eligible.
7. Add the voter's name to the Restricted Ballot Roster.

8. Mail the limited ballot to the voter. See the next section on casting/counting limited ballots.
9. Upon receipt of the marked ballot, add the voter to the Poll List of Mail Voters.
10. Forward a copy of the limited ballot application to the voter registrar in your county so the voter will get registered to vote in his/her new county.
11. After the election, notify the voter registrar of the former county that the voter cast a limited ballot in your county (Form 5-29). This will allow the voter registrar of the former county to cancel the voter's registration.

Casting and Counting Limited Ballots by Voting Method

Casting the Vote	Counting the Vote
<p>Optical Scan method</p> <ul style="list-style-type: none"> • Provide an optical scan ballot (from whatever source is available – by-mail, early voting in person, or extra election day precinct). • The election custodian at the main early voting location lines through the serial number on the ballot to render it unreadable by the optical scan machine. OR Using the same type of marking instrument provided to voters, the election custodian must mark through ineligible district offices and county and precinct offices AND overvote the marks next to those races, in the event the voter attempts to vote in the ineligible races anyway but leave serial number intact for <u>counting by tabulator</u>. <p>Note: On some systems, making a mark next to an uncontested race will result in a vote for that uncontested local race. In this instance, please do not mark the oval or arrow next to the uncontested candidate's name.</p> <ul style="list-style-type: none"> • Voter places voted limited ballot in regular ballot box designated for early voters or a container or ballot box specially designated for limited ballots, depending on the direction by the local elections custodian. 	<p>Optical Scan method-Option #1</p> <ul style="list-style-type: none"> • Hand count the voter's choices. These numbers are then manually added to the vote results in the election management system. <p>Optical Scan method-Option #2</p> <ul style="list-style-type: none"> • (If not done prior to voting) The election custodian lines through the serial number on the ballot to render it unreadable by the optical scan machine. • Duplicate / Remake voted ballot onto a new optical scan ballot. Record the number of the duplicated ballot onto the new ballot. • Run new ballot through tabulator. <p>Optical Scan method-Option #3</p> <ul style="list-style-type: none"> • Run the ballot through the tabulator. Don't forget to review the ballot first to ensure that no votes were cast for ineligible races; if they were, the ballot should be duplicated (See Option #2 above).

<p>DREs</p> <ul style="list-style-type: none">• Provide an early voting <u>by-mail ballot</u> to voter (i.e., a paper or optical scan ballot).• Using the same type of marking instrument provided to voters, the election custodian must mark through ineligible district offices and county and precinct offices AND overvote the marks next to those races, in the event the voter attempts to vote in the ineligible races anyway. <p>Note: On some systems, making a mark next to an uncontested race will result in a vote for that uncontested local race. In this instance, please do not mark the oval or arrow next to the uncontested candidate's name.</p> <ul style="list-style-type: none">• Voter places voted limited ballot in a container or ballot box specially designated for limited ballots.	<p>DREs-Option #1</p> <ul style="list-style-type: none">• Hand count the voter's choices. These numbers are then manually added to the vote results in the election management system. <p>DREs-Option #2</p> <ul style="list-style-type: none">• The election custodian lines through the serial number on the ballot to render it unreadable by the optical scan machine.• Duplicate into Ballot Programming System. <p>DREs-Option #3</p> <ul style="list-style-type: none">• Run the ballot through the tabulator in the same manner as the regular by-mail ballots. Don't forget to review the ballot first to ensure that no votes were cast for ineligible races; if they were, the ballot should be duplicated (See Option #2 above).
--	---

We recommend using similar methods if you are creating a "federal office only" ballot pursuant to Chapter 114 of the Code.

If you have any questions regarding limited ballots, please contact the Elections Division at 1-800-252-2216.

KI:LP