

SUBJECT: Allowing certain parents and guardians to vote outside of polling places

COMMITTEE: Elections — committee substitute recommended

VOTE: 8 ayes — Klick, Cortez, Bucy, Burrows, Cain, Fierro, Israel, Middleton  
1 nay — Swanson

WITNESSES: For — (*Registered, but did not testify*: Dave Jones, Clean Elections Texas; Maria Person)

Against — Heather Hawthorne, County and District Clerks' Association of Texas; Alan Vera, Harris County Republican Party Ballot Security Committee; David Covey; Ed Johnson; Brandon Moore; Bill Sargent; (*Registered, but did not testify*: Christine Welborn, Direct Action Texas; Aryn James, Travis County Commissioners Court; Tom Glass; Jennifer Hall; Russell Hayter)

On — Christina Adkins, Secretary of State; Michele Bennett and Chris Davis, Texas Association of Elections Administrators; Glen Maxey, Texas Democratic Party

BACKGROUND: Election Code sec. 64.009 requires election officers to, upon a voter's request, deliver ballots at polling place entrances or curbs to voters who are physically unable to enter polling places without personal assistance or the likelihood of injuring their health.

DIGEST: CSHB 2898 would allow authorities conducting elections to permit parents or legal guardians who were accompanied by their children who were 5 years old or younger to vote at polling place entrances or curbs.

The bill also would require the secretary of state, in cooperation with county elections administrators, to study best practices in allowing parents and legal guardians accompanied by young children to vote curbside and report its findings to the committees of each house of the Legislature with jurisdiction over elections by December 31, 2020. This requirement would

expire September 1, 2021.

The bill would take effect September 1, 2019.

**SUPPORTERS  
SAY:**

CSHB 2898 would allow election authorities to permit parents and legal guardians accompanied by young children to vote outside of polling places, which would make it easier for such individuals to vote and could encourage increased participation in elections. The bill would be sufficiently narrow to allow only parents or legal guardians accompanying children five or younger to request to vote outside of polling places.

The bill would give election authorities complete discretion over whether to allow parents and guardians to vote in this way and would help election authorities reduce any possible misuse of the privilege of voting outside the polling place.

**OPPONENTS  
SAY:**

CSHB 2898 could divert limited election resources from other individuals who needed them, such as those with disabilities or health issues, and could require those individuals to wait longer to vote. Polling places do not have the capacity to offer curbside voting to parents accompanied by children who are five or younger.

The bill also could encourage parents and guardians to misuse the privilege of voting outside of polling places by bringing children to the polls in order to skip the line.