



REPUBLICAN PARTY OF TEXAS

GRASSROOTS GUIDE: Texas Laws Every Grassroots Worker Should Know

Note: Citations are from the Texas Election Code (www.statutes.legis.state.tx.us/?link=EL)

Polling Places

1. You may not electioneer or loiter within 100 feet of an outside door through which a voter may enter the building in which a polling place is located. [Sec. 61.003]
2. Bystanders are not allowed in the polling place. [Sec. 61.001]
3. Candidates are not allowed in the polling place. [Sec. 61.001]
4. No loudspeakers, amplification devices or other sound equipment are allowed within 1,000 feet of a building in which a polling place is located. [Sec. 61.004]
5. Inside a polling place, a person may not indicate to a voter by word, sign, or gesture how the person desires the voter to vote or not vote. [Sec. 61.008]
6. Within 100 feet of, or inside a polling place, you may not wear a badge, insignia, emblem, or other similar communicative device relating to a candidate, measure, or political party. [Sec. 61.010]
7. Within 100 feet of, or inside a polling place, you may not use a wireless communication device or any electronic means of recording images or video. This includes mobile phones, tablets, etc. [Sec. 61.014]

Note: Some cities have passed ordinances limiting political activities on public property beyond 100 feet of the polling place. RPT encourages volunteers to follow local ordinances until such time as those ordinances are declared unconstitutional by the courts.



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Poll Watchers

1. You must have a Certificate of Appointment by a candidate, or in partisan elections, the candidate or a political party. [Sec. 33.006(a)]
2. You must be a registered voter of the territory, but you do not have to live in the election precinct. [Sec. 33.031]
3. You cannot be a candidate in that election or elected official. [Sec. 33.032, 33.032]. But a candidate's spouse or children can be poll watchers.
4. The primary duty of a watcher is to observe the conduct of the election at the location where the watcher has been appointed. A watcher may point out to an election judge or clerk any observed irregularity or violation of the Texas Election Code. However, if the clerk refers the watcher to the judge, the watcher may not discuss the matter further with the clerk unless the presiding judge invites the discussion. [Sec. 33.058(b)]
5. A poll watcher **MUST** wear a form of identification prescribed by the Secretary of State and provided by the presiding judge or other election officer. [Sec. 33.051(f)]
6. Poll Watchers may not:
 - a. Talk with an election officer regarding the election except to call attention to an irregularity or violation. [Sec. 33.058(a)(1)]
 - b. Converse with a voter. [Sec. 33.058(a)(2)]
 - c. Converse with other watchers. [Sec. 33.058]
 - d. Communicate in any manner with a voter regarding the election. [Sec. 33.058(a)(3)]
 - e. Leave during voting hours on election day without the presiding judge's permission unless the watcher has completed 5 consecutive hours of service at the polling place. If the watcher leaves without permission and prior to completing the 5 hours of service, the presiding judge may refuse to readmit the watcher.
7. Poll Watchers must be allowed to:
 - a. Witness the installation of voting system equipment at the polling place. [Sec.33.059]
 - b. Observe the securing of voting system equipment before the election. [Sec. 33.059]
 - c. A poll watcher may leave the polling place temporarily in order to use a cell phone or other wireless communication device. If the poll watcher promptly returns, he or she is considered to have served continuously as that term is used for calculating his or her continuous 5 hours, which allows the watcher to come and go. [Sec. 62.011]
 - d. Sit or stand conveniently near the election officials to observe the activities of the election. [Sec. 33.056(a)]



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- e. Make written notes while on duty. However, if the watcher is permitted to leave the polling place while the polls are open, the watcher may be required to leave his or her written notes with another person selected by the watcher who is on duty at the polling place. [Sec. 33.056(d)]
- f. Observe assistance given to voters by election officials and inspect the ballot before it is deposited in the ballot box to determine if it was prepared in accordance with the voter's wishes. [Sec. 33.057(a)].

Block-Walking

1. It is not illegal to knock on a door with a “No Solicitation” sign. As a campaign worker, you are not soliciting since most city ordinances define solicitation as an attempt to sell products or services. Also, your political activities are free speech. Nevertheless, if challenged or threatened, just apologize and move on.
2. The same is true for subdivisions with “no solicitation” rules.
3. Stay on public property or designated walking areas.
4. Do not put unstamped flyers in any mailbox. Title 18, Sec. 1725 states that any person who knowingly deposits "mail-able matter" without postage in an established letter box shall be subject to a fine.

Time Off to Vote

Assuming that an employee has not already voted in early voting, the employee is entitled to take paid time off for voting on election days, unless the employee has at least two consecutive hours to vote outside of the voter's working hours.

1. An employer must give employees time away from work to vote if the employee does not have otherwise sufficient free time while the polls are open. [Sec. 276.004]
2. An employer must allow the employee to take the time off without threats, intimidation or any other penalty. [Sec. 276.001]
3. An employer cannot reduce or threaten to reduce an employee's wages or other benefits for voting for or against a particular candidate or refusing to disclose how they voted. [Sec. 276.001]

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