

Witnessing of and Assistance with ABBMs

Pursuant to Section 1.011, the application may be signed by a witness if the voter themselves cannot sign due to physical disability or illiteracy. The person who cannot sign must put their mark on the ABBM, but if they cannot make a mark, the witness must indicate that fact on the ABBM. The witness must then write their own name, residence address, and signature on the ABBM (unless the witness is an election official, in which case the residence address is not required and instead the witness must include their official title). The witness must also indicate their relationship to the voter, if a relative of the voter. Finally, the witness must indicate on the ABBM that they are serving as a witness (or assistant, or both). On the official state ABBM, this means the witness must complete Box 11. Note that all of these actions must be conducted in the presence of the voter.

Section 84.004(a) provides that a person commits an offense if the person witnesses more than one Annual ABBM per year or one single-use ABBM per election. However, the prohibition does not apply if the additional voters are related to the witness as a parent, grandparent, spouse, child, or sibling, or if the witness is an EV Clerk or deputy EV Clerk. Note that a violation of this rule does not affect the validity of the ABBM.

A voter also may be assisted with completing and submitting an ABBM. Note that an assistant may submit an ABBM for a voter through any of the approved methods, except hand-delivery. Only the voter themselves can hand-deliver their ABBM, and this must be prior to the start of early voting by personal appearance. Any individuals who assist a voter in completing or submitting an ABBM must complete the assistant information on the ABBM, by checking the appropriate box (to indicate if they are serving as an assistant, witness, or both), and providing their own name, residence address, and signature. On the official state ABBM, this means the assistant must complete Box 11.

Witness/Assistance FAQ:

Q: How many Annual ABBMs may a person witness in a calendar year?

A: Unless a close relative, a person may witness one regular ABBM per election in a calendar year, or **one Annual ABBM for the entire calendar year**. Violation of this law does not invalidate the ABBM. [§ 84.004]

Q: May an assistant fax or email a voter's ABBM?

A: Yes, if the assistant completes the Assistant portion of the application (remember that the original hard copy must also be mailed in). [§ 84.003, § 84.007]

Q: May ABBMs be faxed from a political campaign building/headquarters?

A: Yes. While there are legal prohibitions on mailing a ballot carrier envelope, there are no legal prohibitions on faxing or emailing applications from campaigns. However, a campaign worker faxing or emailing the applications on behalf of the voters must complete the assistance portion of the ABBM (remember that the original hard copy must also be mailed in). [§ 84.003, § 84.007]