

## Methods of Submission of the ABBM

An ABBM, including an Annual ABBM, may be submitted by mail via the U.S. postal service, by common or contract carrier (such as UPS, DHL, UPS, or a local courier service), in person by the voter themselves (before early voting in person begins), by fax, or by email. However, please note that **if an ABBM is faxed or emailed to the EV Clerk, it must be followed up by the original within 4 business days.** See **NEW LAW, Senate Bill 5 (85th Legislature, 1st CS, 2017)**, below.

- [A list of email address for the county EV Clerks is available on our website.](#) Voters may obtain email addresses for the EV Clerks of political subdivisions other than counties by contacting those EV Clerks directly.

**NEW LAW: Senate Bill 5 (85th Legislature, 1st CS, 2017), effective December 1, 2017**, amended Section 84.001 to provide that an electronic signature is not permitted on an ABBM; Section 84.007 was also amended to provide that if an ABBM is faxed or emailed or if an FPCA is faxed, then the voter must submit the ORIGINAL application BY MAIL to the EV Clerk so that the EV Clerk receives the original no later than the **4th business day** after receiving the emailed or faxed ABBM or faxed FPCA. Sections 84.001(b) and 84.007(b-1). If the EV Clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the EV Clerk may not send the voter a ballot based on the faxed or emailed ABBM or faxed FPCA. However, if the original is still received prior to the deadline to apply for a ballot by mail, the EV Clerk may process that ABBM/FPCA as a new application. See FAQ, below.

- **NOTE:** An FPCA rejected for ballot purposes would still serve to register the voter (if the voter is eligible to be registered), even though it will not allow the voter to be sent ballots. The EV Clerk should still retain a copy of the FPCA for their own records, but should send the FPCA submitted by the voter to the Voter Registrar for registration purposes.

If a voter faxes or emails the ABBM or faxes the FPCA, the date the EV Clerk receives the fax or email is considered the date of submission. Essentially, the faxed or emailed form serves as a place-holder for the voter. Therefore, a voter whose application was faxed or emailed by the 11th day before election day (the deadline), and whose original application is received on or before the 4th business day after that date, would still be entitled to receive a ballot for the election (if otherwise eligible). The EV Clerk will have to hold the faxed or emailed ABBM or faxed FPCA until the clerk receives the original, and would only send the voter a ballot (and mark the list) if the original is received by the 4th business day after the faxed or emailed ABBM or faxed FPCA was received. The requirement to mail the original application does not apply to an emailed FPCA. An FPCA has independent authority for email delivery under Section 101.052.

## References

Ingram, K. (2018, February 9). *Election Advisory No. 2018-09*. Retrieved from Texas of Secretary of State: <https://www.sos.texas.gov/elections/laws/advisory2018-09.shtml#8>