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Why Texas election officials are rejecting hundreds of vote-by-mail applications

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Several counties in Texas have reported rejecting hundreds of vote-by-mail applications in the past week because of confusion over new ID requirements created by a **Republican-backed law** that went into effect last month.

The Texas law, known as Senate Bill 1, requires that people provide either a partial Social Security number or a driver's license number on their application for a mail-in ballot — and that number has to match the identification on their voter registration.

The problem is this: A lot of people don't remember what form of ID they put on their registration. That's especially true if they registered to vote decades ago.

James Slattery, senior staff attorney with the Texas Civil Rights Project, says it was obvious this new rule was going to create a huge headache for voters and local officials — which is why he warned state lawmakers about it this past summer.

"It is easy to see the needless chaos and mass disenfranchisement that requiring this matching process will create," he told a Texas House committee in July.

Under SB 1, not having matching ID information is grounds for rejecting that ballot application, which is what officials in Texas say they've been forced to do lately.

In Austin, Travis County Clerk Dana DeBeauvoir says a lot of voters have been tripped up by this new rule.

"This is all brand new," she told reporters on Tuesday. "This is all because of SB 1. These are new obstacles for voters. They have never had to deal with this kind of problem in the past."

In a press release last week, DeBeauvoir's office said it had "rejected about fifty percent of applications for ballot by mail that have been received for the March 1, 2022 primary election."

"Many other counties are experiencing the same high rejection rate," officials wrote.

According to the [San Antonio Report](#), officials in Bexar County also found problems with half the ballot applications they received. Williamson County and Houston also reported similar issues.

"This is literally the exact thing that I and many other civil rights groups warned about," Slattery said.

In a press release Friday, the Texas secretary of state's office urged Travis County to "immediately review and re-examine the mail ballot applications in question." State officials said they were surprised to see "an unusually large percentage of applications for a ballot by mail" had been rejected by some counties.

Not many Texas voters can vote by mail

All this confusion is having the biggest impact on the few groups who are even eligible to vote by mail in Texas in the first place.

Texas' vote-by-mail program is among the most limited in the country. Only voters who are out of town, over 65 or disabled are allowed to use a mail-in ballot.

Bob Kafka, a coordinator with a disability rights group called Rev Up Texas, says organizations like his are already fielding a lot of questions about this issue.

"The questions we are getting is, you know, 'What do I put in? How do I do that?' " he said.

Kafka says the new Texas voting law created a slew of new hurdles for people like him. Besides these changes to vote by mail, there are new rules for people who need assistance at the polls. Among other things, voting assistants have to fill out new paperwork and are [subject to criminal penalties](#) if they help a voter in ways they did not clear with officials beforehand.

Kafka says all these changes just make it harder for people with disabilities to vote.

"We feel that we have been targeted by the legislature to suppress the disability vote," he said. "Whether intentionally or not, that is exactly what the reality is."

Republican state Sen. Bryan Hughes, SB 1's sponsor, did not reply to a request for comment about the ballot application rejections.

Election officials feel "hamstrung"

Travis County's DeBeauvoir says the most frustrating part of the new law is that she can't even communicate with voters about how to fix their application.

[A provision in SB 1](#) says local officials can "make no attempt to solicit a person to complete an application for an early voting ballot by mail, whether directly or through a third party." Violating that is a state jail felony that carries a mandatory minimum of six months of imprisonment and a fine of up to \$10,000.

DeBeauvoir said she's "hamstrung."

"A state jail felony is nothing to thumb your nose at," she said. "You know, I would have preferred to tell voters exactly what to do. But I think under the circumstances we are going to have to rely on the community and the parties to help solve the problem that the legislature created."

Before announcing the rejected ballots, DeBeauvoir said she had been waiting for guidance from state officials on what to do to make sure eligible voters don't get their applications rejected. On Tuesday she said she's been turning to state databases and has been able to cure some applications that she said she first rejected.

Sam Taylor, assistant secretary of state for communications, says his office has been working as fast as they can to give clear guidance to counties on how to cure rejected ballots — as well as all the other changes that were implemented under the new Texas voting law.

SB 1 — which amounts to a massive overhaul of the state's election code — wasn't passed until this past fall during a second special session.

Taylor says the secretary of state's office has been under a serious time crunch.

"There are a lot of new forms to update, a lot of new guidance to provide," he said. "And this guidance in particular, I think from our elections division they have told me this is the longest, most comprehensive guidance they have ever had to issue."

For now, the secretary of state's office is directing voters to [a brand-new state ballot tracking website](#) if they want to fix their ID information or check the status of an application.

DeBeauvoir says, so far, the state's website doesn't have complete data.

Ultimately, voting groups are advising people ahead of the primary election in March to fill out both their Social Security and driver's license numbers on their application. That way, one of them is bound to be right.