

The State of Texas



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Ruth R. Hughs
Secretary of State

August 27, 2020

Chris Hollins
Harris County Clerk
201 Caroline St., 3rd Floor
Houston, Texas 77002

Dear Mr. Hollins:

It has come to our office's attention that Harris County intends to send an application to vote by mail to every registered voter in the county. Such action would be contrary to our office's guidance on this issue and an abuse of voters' rights under Texas Election Code Section 31.005.

As you know, the Texas Election Code requires that voters have a qualifying reason to vote by mail. They must be 65 years or older, disabled, out of the county while voting is occurring, or confined in jail but otherwise eligible to vote. It is not possible that every voter in Harris County will satisfy one or more of these requirements.

By sending applications to all voters, including many who do not qualify for voting by mail, your office may cause voters to provide false information on the form. Your action thus raises serious concerns under Texas Election Code Section 84.0041(a)(1), (2).

At a minimum, sending an application to every registered voter will confuse voters about their ability to vote by mail. Earlier this year and continuing, there have been a number of lawsuits challenging the fact that Texas law requires a reason to vote by mail. Thus far the challenged law remains the same in spite of these lawsuits. An official application from your office will lead many voters to believe they are allowed to vote by mail, when they do not qualify.

Finally, by sending an application to every registered voter, you could impede the ability of persons who need to vote by mail to do so. Clogging up the vote by mail infrastructure with potentially millions of applications from persons who do not qualify to vote by mail will make it more difficult for eligible mail voters to receive their balloting materials in a timely manner and will hamper efforts to qualify and count these ballots when received by your office.

For all of these reasons, you must immediately halt any plan to send an application for ballot by mail to all registered voters and announce its retraction. If you have not done so by noon on Monday, August 31, 2020, I will request that the Texas Attorney General take appropriate steps under Texas Election Code 31.005.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Keith Ingram', with a long horizontal flourish extending to the right.

Keith Ingram
Director of Elections