

TEXAS 2026 LAW ENFORCEMENT QUICK REFERENCE GUIDE

This pocket reference guide contains key penal provisions found within the Texas Election Code (§61.001 through §61.036 and §276.001 through §276.019) and other relevant sections.*

- Campaigning within 100 feet of an outside door through which a voter may enter a polling place is a misdemeanor.
- Harming, threatening to harm, or preventing or delaying service of a public servant is a felony.
- Knowingly attempting to prevent an eligible voter from casting a ballot is a misdemeanor.
- Carrying a firearm on the premises of a polling place on Election Day is a felony.

* Some provisions have been abridged due to space limitations in this guide.

VOTING HOURS

7 a.m. to 7 p.m. on Election Day

2026 ELECTION DATES

Primary Election: March 3

Primary Runoff: May 26

General Election: November 3

For other election dates:

[sos.state.tx.us/elections/voter/
important-election-dates.shtml#2026](https://sos.state.tx.us/elections/voter/important-election-dates.shtml#2026)

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:

[sos.state.tx.us/elections/voter/
county.shtml](https://sos.state.tx.us/elections/voter/county.shtml)

Elections Division Secretary of State:

Monday–Friday, 8 a.m. to 5 p.m.

1-800-252-VOTE (8683) or 512-463-5650

elections@sos.texas.gov

vtcontact.sos.texas.gov/index.aspx



Unlawful Presence of Candidate

Texas Election Code §61.001 (b)

A candidate may not be in the polling place from the time the presiding judge arrives there on election day to make the preliminary arrangements until the precinct returns have been certified and the election records have been assembled for distribution following the election for a purpose other than: (a) voting; or (b) official business in the building in which the polling place is located.

It is an exception to the application of this section that the candidate: (1) is not within plain view or hearing of the persons in the voting area in which voters are being accepted for voting, and (2) is not engaged in campaign activity.

An offense under this section is a Class C misdemeanor.

Bystanders Excluded

Texas Election Code §61.001 (a),(a-1)

Except as permitted by this code and as described by Subsection (a-1) below, a person may not be in the polling place from the time the presiding judge arrives there on election day to make the preliminary arrangements until the precinct returns have been certified and the election records have been assembled for distribution following the election.

(a-1) Persons who may be lawfully present during the time described above include: local, county, and state election officials and staff; watchers; sheriffs; state inspectors; voters admitted to vote and their children accompanying them; persons providing assistance to voters in need; special peace officers appointed by the presiding judge; the county chair of a political party conducting a primary election; voting system

technicians; and a person whose presence has been authorized by the presiding judge in accordance with this code.

An offense under this section is a Class C misdemeanor.

Electioneering and Loitering Near Polling Place

Texas Election Code §61.003

A person commits a Class C misdemeanor if, during the "voting period" (defined for these purposes as the period beginning when the polls are open for voting and ending when the polls close or the last voter has voted, whichever is later) and within 100 feet of an outside door through which a voter may enter the building in which a polling place is located, or within 20 feet of a parking space designated for curbside voting under Section 64.009 (related to accommodations for voters with disabilities), the person:

1. loiters; or
2. electioneers for or against any candidate, measure, or political party.

The entity that owns or controls a public building being used as a polling place may not, at any time during the voting period, prohibit electioneering on the building's premises outside of the area described above, but may enact reasonable regulations concerning the time, place, and manner of electioneering. For these purposes, "electioneering" includes the posting, use or distribution of political signs or literature, but does not include the distribution of a notice of a party convention authorized under Section 172.1114 of the Election Code.

Unlawfully Divulging Vote

Texas Election Code §61.006

A person commits a felony of the third degree if the person was in a polling place for any purpose other than voting and knowingly communicates to another person information that the person obtained at the polling place about how a voter has voted.

This section does not apply to information presented in an official investigation or other official proceeding in which the information is relevant.

Unlawfully Revealing Information Before Polls Close

Texas Election Code §61.007

An election officer, watcher, or other person serving at a polling place in an official capacity commits a state jail felony if, before the polls close or the last voter has voted, whichever is later, the officer, watcher, or other person reveals:

1. the number of votes that have been received for a candidate or for or against a measure;
2. a candidate's position relative to other candidates in the tabulation of the votes;
3. whether a measure is passing or failing; or
4. the names of persons who have or have not voted in the election.

Beginning at 9:30 a.m., and at each subsequent two-hour interval through 5:30 p.m., the presiding judge shall post written notice of the total number of voters who have voted in the precinct.

Wearing Name Tag or Badge in Polling Place

Texas Election Code §61.010

It is a Class C misdemeanor to wear a badge, insignia, emblem, or other similar communicative device relating to a candidate, measure, or political party appearing on the ballot, or to the conduct of the election, in the polling place or within 100 feet of any outside door where a voter may enter the building where the polling place is located.

An election judge, an election clerk, a state or federal election inspector, a certified peace officer, or a special peace officer appointed for the polling place by the presiding judge shall wear while on duty in the area described above a tag or official badge that indicates the person's name and title or position.

Places Weapons Prohibited

Texas Penal Code §46.03

It is a felony of the third degree to intentionally, knowingly, or recklessly possess or go with a firearm, restricted knife, club, or prohibited weapon listed in Section 46.05(a) of the Penal Code (Prohibited Weapons) into:

- 2) the premises of a polling place on the day of an election or while early voting is in progress;
- 3) the premises of any government court or offices utilized by the court, unless pursuant to written court authorization; or
- 14) the room or rooms where a meeting of a governmental entity is held, if the meeting is an open meeting subject to Chapter 551, Government Code, and if the entity provided notice as required by that chapter.

Certain law enforcement, armed forces, and security officers may be exempt while in the discharge of official duties, under §46.03 (b),(d).

Unlawful Removal from Ballot Box Texas Election Code §276.003

A person commits an offense if the person knowingly or intentionally removes or attempts to remove voted ballots from a ballot box in a manner not authorized by law.

An offense under this section is a felony of the third degree unless the person is convicted of an attempt. In that case, the offense is a Class A misdemeanor.

Voters Privilege from Arrest Texas Election Code §276.005

A voter may not be arrested during the voter's attendance at an election and while going to and returning from a polling place except for treason, a felony, or a breach of peace.

Unlawful Buying and Selling of Balloting Materials Texas Election Code §276.010

A person commits an offense if the person buys, offers to buy, sells, or offers to sell an official ballot, official ballot envelope, official carrier envelope, signed application for an early voting mail ballot, or any other original election record. This section does not apply to a person who executes a written contract for the procurement of election supplies necessary to conduct an election under Section 51.003 of the Election Code.

An offense under this section is a state jail felony requiring a term of imprisonment unless a voter sells a ballot, ballot envelope, or carrier envelope that has been provided to the voter by the government, in which event the offense is a Class B misdemeanor.

A person commits an offense if the person knowingly or intentionally makes any effort to:

1. influence the independent exercise of the vote of another in the presence of the ballot or during the voting process, including by altering the ballot of another or by otherwise causing a ballot to not reflect the intent of the voter;
2. cause a voter to become registered, a ballot to be obtained, or a vote to be cast under false pretenses;
3. cause any false or intentionally misleading statement, representation, or information to be provided:
 - A) to an election official; or
 - B) on an application for ballot by mail, carrier envelope, or any other official election-related form or document;
4. prevent a voter from casting a legal ballot in an election in which the voter is eligible to vote;
5. provide false information to a voter with the intent of preventing the voter from voting in an election in which the voter is eligible to vote;
6. cause the ballot not to reflect the intent of the voter;
7. cause a ballot to be voted for another person that the person knows to be deceased or otherwise knows not to be a qualified or registered voter;
8. cause or enable a vote to be cast more than once in the same election; or
9. discard or destroy a voter's completed ballot without the voter's consent.

9. discard or destroy a voter's completed ballot without the voter's consent;
10. count votes the person knows are invalid or alter a report to include votes the person knows are invalid; or
11. refuse to count votes the person knows are valid or alter a report to exclude votes the person knows are valid.

An offense under this section is a felony of the second degree, unless: (1) the person committed the offense while acting in the person's capacity as an elected official, in which case the offense is a felony of the first degree; or (2) the person is convicted of an attempt, in which case the offense is a felony of the third degree. If conduct constituting an offense under this law also constitutes an offense under any other law, the actor may be prosecuted under either or both.

Disrupting Meeting or Procession

Texas Penal Code §42.05

A person commits a Class B misdemeanor if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, whether in person or virtual, the person obstructs or interferes with the meeting, procession, or gathering by: (1) physical action; (2) verbal utterance; or (3) electronic disturbance, including hacking, of any virtual component of the meeting, procession, or gathering.

Hindering Proceedings by Disorderly Conduct

Texas Penal Code §38.13

A person commits a Class A misdemeanor if he intentionally or recklessly hinders an official proceeding by noise or violent or tumultuous behavior or disturbance and continues after explicit official request to desist.

(a) A person commits an offense if the person intentionally or knowingly harms or threatens to harm another by an unlawful act:

(1) in retaliation for or on account of the service or status of another as a:

(A) public servant, witness, prospective witness, or informant; or

(B) person who has reported or who the actor knows intends to report the occurrence of a crime; or

(2) to prevent or delay the service of another as a:

(A) public servant, witness, prospective witness, or informant; or

(B) person who has reported or who the actor knows intends to report the occurrence of a crime.

(a-1) A person commits an offense if the person posts on a publicly accessible website or discloses through an electronic communication the residence address or telephone number of an individual the actor knows is a public servant or a member of a public servant's family or household with the intent to cause harm or a threat of harm to the individual or a member of the individual's family or household in retaliation for or on account of the service or status of the individual as a public servant.

(b) In this section:

(1) "Electronic communication" has the meaning assigned by Section 42.07.

(3) "Public servant" has the meaning assigned by Section 1.07.

(c) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if:

(2) the actor's conduct is described by Subsection (a-1) and results in the bodily injury of a public servant or a member of a public servant's family or household.

Coercion of Public Servant or Voter

Tex. Penal Code § 36.03

(a) A person commits an offense if by means of coercion he:

(1) influences or attempts to influence a public servant in a specific exercise of his official power or a specific performance of his official duty or influences or attempts to influence a public servant to violate the public servant's known legal duty; or

(2) influences or attempts to influence a voter not to vote or to vote in a particular manner.

(b) An offense under this section is a Class A misdemeanor unless the coercion is a threat to commit a felony, in which event it is a felony of the third degree.

(c) It is an exception to the application of Subsection (a)(1) of this section that the person who influences or attempts to influence the public servant is a member of the governing body of a governmental entity, and that the action that influences or attempts to influence the public servant is an official action taken by the member of the governing body. For the purposes of this subsection, the term "official action" includes deliberations by the governing body of a governmental entity.

Obstructing Distribution of Supplies

Tex. Elec. Code § 51.011

- (a) A person commits an offense if the person intentionally obstructs the distribution of election supplies for an election.
- (b) An offense under this section is a Class A misdemeanor.

Security of Ballots, Ballot Boxes, and Envelopes

Tex. Elec. Code § 61.005

- (a) From the time a presiding judge receives the official ballots for an election until the precinct returns for that election have been certified, the presiding judge shall take the precautions necessary to prevent access to the ballots, ballot boxes, and envelopes used for provisional ballots in a manner not authorized by law.
- (b) The ballots, ballot boxes, and envelopes used for provisional ballots at a polling place shall be in plain view of at least one election officer from the time the polls open for voting until the precinct returns have been certified.
- (c) A presiding election judge commits an offense if the judge fails to prevent another person from handling a ballot box containing voters' marked ballots or an envelope containing a voter's provisional ballot in an unauthorized manner or from making an unauthorized entry into the ballot box or envelope. An offense under this subsection is a Class A misdemeanor.

Tampering with Direct Recording Electronic Voting Machine

Tex. Penal Code § 33.05

(a) In this section:

- (1) "Direct recording electronic voting machine" has the meaning assigned by Section 121.003, Election Code.
- (2) "Measure" has the meaning assigned by Section 1.005, Election Code.

(b) A person commits an offense if the person knowingly accesses a computer, computer network, computer program, computer software, or computer system that is a part of a voting system that uses direct recording electronic voting machines and by means of that access:

- (1) prevents a person from lawfully casting a vote;
- (2) changes a lawfully cast vote;
- (3) prevents a lawfully cast vote from being counted; or
- (4) causes a vote that was not lawfully cast to be counted.

(c) An offense under this section does not require that the votes as affected by the person's actions described by Subsection (b) actually be the votes used in the official determination of the outcome of the election.

(d) An offense under this section is a felony of the first degree.

(e) Notwithstanding Section 15.01(d), an offense under Section 15.01(a) is a felony of the third degree if the offense the actor intends to commit is an offense under this section.

(f) With the consent of the appropriate local county or district attorney, the attorney general has concurrent jurisdiction with that consenting local prosecutor to investigate or prosecute an offense under this section.