

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MI FAMILIA VOTA, TEXAS STATE
CONFERENCE OF THE NATIONAL
ASSOCIATION FOR THE ADVANCEMENT
OF COLORED PEOPLE, MICAELA
RODRIGUEZ and GUADALUPE TORRES,

Plaintiffs

v.

GREG ABBOTT, Governor of Texas; RUTH
HUGHS, Texas Secretary of State,

Defendants.

No. 5:20-cv-00830

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION**

Before the Court is Plaintiffs' Motion for Preliminary Injunction. For good cause shown, and for the reasons in the separately issued opinion, this motion is hereby **GRANTED**.

Accordingly, the Court hereby orders Defendants, through the authority vested in them under Texas law and in coordination with county and other local officials responsible for administering polling places, to take the following steps to protect voters at polling sites during this unprecedented pandemic:

1. Extend the period of early voting to begin on October 5, 2020.
2. Require voters, poll-workers, persons assisting voters, and any other person at a polling site to wear a mask, including providing masks to persons who do not already have one, with exceptions only for individuals who cannot wear masks due to a disability.

3. Allow counties to offer extended, temporary, and/or mobile early voting locations with flexible hours and days.
4. Suspend the requirement that curbside voters must qualify as having a disability or, alternatively, order that any voter may identify as “disabled” due to the threat that the coronavirus poses to his or her health and life, for the purpose of being found eligible to vote curbside.
5. Open additional polling places and provide enough voting booths and poll workers at each polling place to ensure that voters are not required to wait more than twenty minutes to vote, to minimize coronavirus transmission.
6. Staff all polling places with sufficient number of poll workers to keep voter lines to less than 20 minutes, including by actively recruiting new poll workers who are not at high risk for serious illness due to COVID-19.
7. Prohibit the closure of polling places currently scheduled to be available on Election Day. Should a polling place need to be closed or moved in order to meet health and safety requirements, require that a new polling place be made available within the same voting precinct.
8. In counties that use electronic voting machines, including counties that participate in the Countywide Polling Place Program, make available sufficient numbers of both paper ballots and electronic voting machines so that voters have the option of voting by hand-marking a paper ballot or by voting on the electronic voting machine, to minimize the risk of coronavirus transmission.

9. Revise voter identification requirements to allow voters to show identification without requiring poll workers to physically handle identification or documentation, apply the natural disaster exception to the pandemic, and allow voters to sign affidavits regarding the natural disaster exception at the polling place.
10. Ensure that poll workers are given protective gear, including masks and gloves, in sufficient quantity to allow poll workers to change protective gear frequently. Provide poll workers with ample opportunity to wash their hands.
11. Enable counties that need to revise election policies in order to protect voters' health to do so.

Defendants are hereby ordered to comply with this injunction as quickly as possible to accommodate the safety of voters, including early voters, in this year's general election.

Defendants are further ordered to maintain their compliance with this injunction until there are no existing cases of coronavirus in the state of Texas, or until there is a vaccine freely and readily available to all Texans, whichever comes sooner.

IT IS SO ORDERED.

DATE:

The Honorable Jason K. Pulliam