

STATE OF TEXAS                   §  
  §  
COUNTY OF GALVESTON       §

**ORDER REGARDING ACCESS TO VOTING LOCATIONS  
DURING THE COVID-19 DISASTER**

WHEREAS, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on March 17, 2020 Galveston County Judge Mark Henry signed a Declaration of a Local Disaster Related to COVID-19 pursuant to §418.108(a) of the Texas Government Code; and

WHEREAS, the state of disaster in both the State of Texas and Galveston County has been extended through the present day, subject to possible further extension; and

WHEREAS, on July 2, 2020, Governor Abbott issued Executive Order GA-29 “Relating to the use of face coverings during the COVID-19 disaster; and

WHEREAS, paragraph 8 of Executive Order GA-29 provides that a face covering is not required for “any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;” and

WHEREAS, Governor Abbott’s most recent Executive Order GA-32, dated October 7, 2020, did not supersede GA-29, and specifically sought to “ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as restrictions that are consistent with this executive order”;

WHEREAS, under Section 418.1015 of the Texas Government Code, the County Judge “may exercise the powers granted to the governor under this chapter on an appropriate local scale;” and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.016(a), the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;” and

WHEREAS, under Section 418.017(a), the “governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster”; and

WHEREAS, the right to vote is the bedrock of our American democracy, and its integrity depends on free and open access to the polls; and

WHEREAS, there have been isolated reports of voters being denied access to polls in Galveston County because the voter was not wearing a face covering; and

WHEREAS, the right of a qualified voter to cast a ballot under lawful conditions must not be denied; and

WHEREAS, it is the duty and responsibility of the County Judge to enforce the Governor’s emergency orders on a local basis such that the right of the people of Galveston County to lawfully vote is not impeded.

**BE IT THEREFORE ORDERED BY THE COUNTY JUDGE OF GALVESTON COUNTY:**

1. No person may deny or impede access to a voting location in Galveston County to another person because he or she is not wearing a mask or face covering.
2. No person may interfere with another who is voting, assisting a voter, serving as a poll watcher, or actively administering an election because he or she is not wearing a mask or face covering.
3. Every individual who enters a voting location or who is voting, assisting a voter, serving as a poll watcher, or actively administering an election is strongly encouraged, but not legally compelled, to follow CDC guidelines to help prevent the spread of COVID-19.

Any violation of paragraphs 1 or 2 of this Order shall be punishable under Tex. Gov’t Code Section 418.173 by a fine of up to \$1,000.

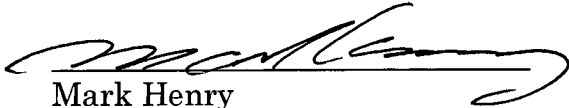
Any violation of this order should be reported to the Galveston County Sheriff’s Office by calling (409)766-2322, option 2.

This order is effective 5:00pm on October 16, 2020, and continuing through the termination of the local state of disaster in Galveston County, Texas, or until the Governor’s Order GA-29 is superseded or rescinded.

Any County regulation, order, or policy contrary to this order is superseded while it remains in effect to the extent necessary to eliminate any conflict with this order.

The County of Galveston must promptly provide copies of this Order by posting copies for public viewing in the same manner as publicly posted Commissioners Court agendas. In addition, copies of this Order shall be prominently posted at the main entrance to every polling location in Galveston County on days when voting is taking place at that location.

IN WITNESS WHEREOF, I affix my signature this 16 day of OCT, 2020.



Mark Henry  
Galveston County Judge

Filed with the County Clerk on, October 16<sup>th</sup> 2020.

**FILED**

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I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



*Dwight D. Sullivan*

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Dwight D. Sullivan, County Clerk  
Galveston County, Texas

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