



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

September 2, 2024

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Judge Hidalgo and Harris County Commissioners:

I write today concerning proposals you have recently considered to spend hundreds of thousands of taxpayer dollars to mail unsolicited voter registration applications to an untold number of Harris County residents regardless of whether those residents have requested such an application or are even eligible to vote. At best, this proposal is ill-advised because it potentially confuses residents of Harris County about whether they are eligible to vote. At worst, it may induce the commission of a crime by encouraging individuals who are ineligible to vote to provide false information on the form. Either way, it is illegal, and if you move forward with this proposal, I will use all available legal means to stop you.

Harris County only has authority granted to it by law and can take no action without a grant of legal authority. Nothing in Texas law gives counties the power to print and mail State Voter Registration Forms to unregistered voters who have not requested such forms. When Harris County similarly attempted in 2020 to send applications to vote by mail to every registered voter in the county—whether they asked for an application or not, and whether they were eligible to vote by mail or not—I sued you and won. *State v. Hollins*, 620 S.W.3d 400 (Tex. 2020). Citing a century of

precedent, the Court held that “[w]hile the [Election Code] does not prohibit mass mailings,” Harris County’s actions were nonetheless unlawful because “it expressly contemplates that ballot applications are requested by voters.” *Id.* at 408. And it emphasized that “[a]ny reasonable doubt must be resolved against an implied grant of authority” to the County. *Id.* at 409. Because the same can be said for mass mailings of voter registration applications, I am confident the courts will agree with me that the proposals currently under consideration exceed your authority.

Your proposal is particularly troubling this election cycle. In any year, there are numerous individuals within Texas who are not eligible to register to vote—for example, because they have been finally convicted of a felony. This year that concern is magnified because as you are aware, the Biden-Harris administration’s open border policies have saddled Texas—and the entire country—with a wave of illegal immigration that has resulted in ballooning noncitizen populations across our State. It is more important than ever that we maintain the integrity of our voter rolls and ensure only eligible voters decide our elections. Your proposal does the opposite by indiscriminately inviting county residents to register to vote regardless of their eligibility. I urge you to abandon this course of action. If you do not, I will see you in court.

For Texas,

A handwritten signature in black ink that reads "Ken Paxton". The signature is written in a cursive, flowing style.

KEN PAXTON  
Attorney General